

# WEST INDIES.

HAMILTON, BERMUDA.

Tuesday, November 6, 1892.

COLONIAL PARLIAMENT.—Closing of the Session.—The House of Assembly having acquainted His Excellency the Governor that there was no further business before the House to engage its attention, His Excellency commanded the attendance of the two Houses at Government House, on Saturday last, when His Excellency was pleased to close the Session with the following Speech:—

"Mr. President, and Gentlemen of the Legislative Council;

"Mr. Speaker, and Gentlemen of the Assembly;

"It was a matter of great regret that I should have had occasion to call you together, at a period somewhat unusual, and I am aware that the public mind seemed to be such as to leave me, as a point of duty, no alternative.

"It appeared to me, therefore, highly desirable that an opportunity should be given for the purpose of effecting such alterations and amendments in the existing Quarantine Regulations as might be deemed advisable.

"The appalling accounts from the Mother Country, as well as from our immediate neighbourhood, were such as to call for activity and zeal in a cause which required, (under the assistance of an Almighty Being,) our best exertions, and to provide, by our Laws, that the Executive should be enabled to act with promptitude and effect.

"Mr. Speaker, and Gentlemen of the Assembly;

"I was glad to find by the Address of the General Assembly to the observations I had the honour to make in my opening Speech of this Session, that the House had a corresponding feeling on that occasion with my own; and though I cannot but think that under the impending danger from Cholera, it had been more prudent to have armed the Executive with larger discretionary powers, I earnestly hope that the present alterations and amendments which have been made, may be such as not to disappoint your own expectations, but that they may inspire confidence into the minds of the community at large.

"For the supplies you have granted for the use of the Sick at the Quarantine Establishment, should any occasion unhappily arise, I beg to return you my thanks.

"Mr. President, and Gentlemen of the Legislative Council;

"Mr. Speaker, and Gentlemen of the Assembly;

"In repeating my regret for the necessity which existed for convening the Legislature, I must not omit to express my satisfaction at the change of the Quarantine Ground in Saint George's Harbour, to one so much better suited for the public safety; and I will hope that should this Colony be visited by the prevailing, or any infectious disease, the Legislature will be found to have enacted such Laws as will empower the Executive to be efficient at the moment, and previous to, the arrival of the calamity."

"The President of the Council, (having received the commands of His Excellency the Governor,) then prorogued the Colonial Parliament to Monday 25th instant.

## UNITED STATES.

WHAT IS TO BE DONE WITH SOUTH CAROLINA?

Our country has arrived at an important crisis. A member of the confederacy is unquestionably about to resist the laws of the Union. Will the general government employ force to compel obedience, or will the state secede entirely from the Union? The Legislature of South Carolina has been convened in an extra session by proclamation of the Governor, and a Bill has been introduced, and long ere this, has undoubtedly been passed, calling a convention of the people for the express purpose of taking measures to resist the execution of the Federal Laws in that State.

The Governor in his message to the Legislature says, "It is in every respect desirable, that our issue with the general Government should be made before the session of Congress," and that the proposed convention should be held before another meeting of the Legislature, which will regularly take place on the fourth Monday of November. What may or may not, what ought or ought not to be the remedy obtained by the convention, he forbears to indicate. This Message was referred to a joint committee of both Houses, who, on the following day, reported a bill, providing for the calling of a convention to meet at Columbia on the 19th of November; and directing the choice on the second Monday and Tuesday of that month, of a number of delegates to compose that body, equal to the number of Senators and Representatives in the Legislature of the State. The Legislature was expected to close its session on the 26th of October.

The following is the concluding part of the Governor's message.—*Portland Courier*.

"In this summary, fellow citizens, I believe I have uttered not a word that does not meet a response in the overwhelming public sentiment of our people. After ten years of suffering and remonstrance, we have at length arrived at least at the end of our hopes. Our petitions and protests have slumbered in apathy and contempt on the journals of Congress.—The Legislature of the State has, however, declared and reiterated, 'that a Tariff of Protection is not only unconstitutional, but an abuse of power incompatible with the principles of a free government and the great ends of civil society,' and has avowed its purpose 'to expose and resist all encroachments on the true spirit of the Constitution.' You have been elected by the people, and charged by their opinions to adopt means the best calculated to correct and defend them from these encroachments; and you are now convened by me for the purpose of maturely deliberating on the mode of accomplishing this desirable and hallowed object. Public sentiment has already, by unequivocal tokens, declared in favor of a Convention of the people of South Carolina, for the purpose of considering the character and extent of the usurpations of the general government. In recommending that you promptly take measures to authorize the meeting of such an assemblage, I feel, (notwithstanding my cordial concurrence in this measure,) that I am only responding to that sentiment. As it was by an assembly of identical and equivocal authority, that our compact was formed under the Constitution with the States, when they agreed to establish a common agency called the General Government, so, on no tribunal can more appropriately devolve the high province of declaring the extent of our obligations under this compact, and in case of a deliberate, palpable, and dangerous exercise of powers, not granted by the said compact, 'to determine 'on the mode and measures of redress.' Indeed all our political systems have flowed from the mighty

sources of these great, primary and elemental assemblies, which are not the type, but the essence of the sovereignty of the people; nor have they ever yet convened without subserving some eminent purpose of public liberty and social order. The judicious guards in our own State Constitution, by which the people have imposed restraints upon themselves, in the convocation of these bodies, by requiring the concurrence of two-thirds of both branches of the Legislature, before a Convention can be called, not only effectually prevent tumultuary or revolutionary action, but ensure that unanimity among the people so essential to the success of all great public movements.

In earnestly recommending, fellow citizens, that you make, forthwith, legislative provision for the assembling of such a convention, with all the dispatch compatible with the public convenience, I cannot but look forward to the deliberation and final decision of this high and authoritative body as the blessed means, not only, of finally redressing our wrongs, but uniting our whole people in one common mode and purpose of resisting oppression, and in patriotic and fraternal bonds of concord. When this assembly shall speak, its voice, next to the voice of God, must command our most perfect obedience. We owe no allegiance to any other power, except that which through a similar assemblage, South Carolina has thought fit to contract for us, and which in paying to the extent, and so long as she thinks proper that the obligation should continue, is but rendering our loyalty to her.

In conclusion fellow citizens, our cause is worthy of our highest, our most zealous and our most inflexible efforts. It is for no object of ambition, no lust of power or avarice, that we have assumed our present posture in relation to the usurpations of the Federal Government, but it is to redeem the constitution of our country from unhallowed violation, to maintain its ascendancy over the law making authority, to save this once cherished Union from a corruption and misrule, that doom it to irreparable disruption; to bring the Government back to the salutary principles of a just and economical administration; to restore to our own homes and the homes of our fathers their wonted prosperity, by the glorious efforts of recovering for our country a privilege we have never surrendered of exchanging in a period of profound peace, under a wise system of free intercourse with the rest of the world; a privilege which it has been justly said belongs to the Christian Code among civilized nations.

With these objects, and standing firmly on our right, I implore the blessings of Almighty God on your deliberations, that they may be redound to the liberty, peace and happiness of our common country as well as of the people whom you specially represent.

## LOWER CANADA.

### PROVINCIAL PARLIAMENT.

#### LEGISLATIVE COUNCIL CHAMBER.

THURSDAY, NOV. 15, 1892.

This day, at two o'clock, His Excellency the Governor in Chief came down in state to the Legislative Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod was sent down to the House of Assembly to command their attendance before His Excellency, and the House being come up, His Excellency was pleased to open the Third Session of the Fourteenth Provincial Parliament with the following Speech:—

Gentlemen of the Legislative Council, Gentlemen of the House of Assembly,

I have called you together at the period precisely corresponding with that of your last year's meeting, being still under the impression that it is the best suited to the convenience of the majority of the members of the two Houses of the Provincial Parliament.

It is, besides, peculiarly desirable that the present session should commence at an early period, in order to afford sufficient time for bringing to maturity, such measures as were in progress at the close of the last Session, and for taking up the consideration of such other measures as the growing wealth and prosperity of the Province may suggest.

The period having arrived for effecting a new adjustment of the proportion to be paid to Upper Canada, of certain duties levied in this Province, the Commissioners nominated on the part of the two Provinces, respectively, under the provisions of the Act of 3 Geo. IV. cap. 119, have recently met, and entered largely into the consideration of that subject, and although the discussion which ensued thereupon was conducted with no less cordiality, and good feeling, than with ability, and diligence on both sides, I am concerned at having to announce to you that the Commissioners have separated without coming to any decision upon the important question entrusted to their management; and having, moreover, differed in regard to the appointment, conjointly, of a third Commissioner or Arbitrator, it becomes necessary according to the Provisions of the above mentioned Act, (section 17th) to refer the matter to His Majesty's Government for the purpose of obtaining the appointment of an Arbitrator under the Royal sign manual.

The subject of the Currency has been brought under your notice upon more than one occasion during the last few years; but no practical measure having resulted from the consideration of it, I think it necessary to advert to it again; not so much with a view to the adoption of any general and comprehensive system, as to suggest the expediency of providing for the wants of the public by the creation of a metallic currency of inferior value, to replace the small silver coin, and copper now in circulation, the intrinsic value of which, (especially of the latter) is notoriously much below its current value.

Of the temporary Acts of the Legislature which are about to expire, I desire to call your particular attention to the following, viz:—

1st.—An Act relating to the Fisheries in the County of Gaspe, repealed in part by the 1st of Will. 4, cap. 22, which expires on the 1st May, 1893.

2d.—An Act to establish Registry Offices in the County of Drummond, Sherbrooke, Stanstead, and Missisquoi, amended and extended by the 1st Will. 4, c. 3, second section further extended by 2d Wm. 4, cap. 7, duration till 1st of February, 1893.

And 3dly.—An Act to establish Boards of Health within this Province, and to enforce an effectual system of Quarantine, which expires on the 1st May 1893.

I think it necessary here to refer to that part of my Speech to you at the opening of the last Session, which relates to the Townships; the increasing importance of that interesting portion of the Province—the habits of its population—and their wishes connected with the advancement of their own peculiar interests, are subjects which well deserve the attention of the Legislature.

By the enactment of Laws calculated to meet the diversified wants of a mixed population, like that of Lower Canada, the general prosperity of the Country will be advanced, and the peace and contentment of all classes of His Majesty's subjects in the Province established upon a solid, and lasting basis. The foregoing remark embraces a truth so obvious, that it may perhaps be thought superfluous to introduce it on the present occasion.—But my mind is so deeply impressed with a sense of the importance (I might, perhaps, add the necessity) of effecting a strict and cordial union of interests and public feeling throughout the Province, that I cannot abstain from seizing upon every opportunity which presents itself for promoting the success of an object of such permanent interest, an object which (as it appears to me) it is no less the duty, than it is manifestly the true interest of every inhabitant of Lower Canada to assist in promoting to the utmost of his ability, and in preference to every other consideration.

Gentlemen of the House of Assembly, The Supply Bill voted during the last Session, which, in consequence of particular circumstances with which you are already acquainted, and in conformity with the instructions received by me from His Majesty's Government, was reserved for the consideration of His Majesty's pleasure, has subsequently received the Royal Sanction. Upon this subject it will be my duty to make an early communication to you by a special message.

The appropriation of last Session for giving effect to the Provisions of the Act to establish Boards of Health within this Province, and to enforce an effectual system of Quarantine, although liberal in its amount, has nevertheless proved inadequate to the demands made upon it.—But the excess has not been so considerable as there was reason to apprehend from the prevalence of Asiatic Cholera Morbus in most parts of the Province, which rendered necessary the creation of not less than ten Boards of Health, with their corresponding establishments, in addition to the expensive establishment at Grosse Ile, I trust that the excess above alluded to, will be provided for with the same liberality which prompted the original grant.

I avail myself of this opportunity to suggest the expediency of making provision for the possible necessity for incurring further expence on the same account during the current year.

The accounts of the general expenditure of the Province, during the past year, are in a forward state of preparation, and will, I trust, be in readiness to be laid before you at the period prescribed by Legislative regulation. Should any delay take place in rendering these accounts it is to be ascribed to the great labour necessary in preparing the voluminous and detailed statements required from the executive branch of the Legislature, of all its disbursements of public money.

An estimate of the expenses of the Civil Government for the ensuing year, framed according to the instructions of His Majesty's Government, will, in like manner, be laid before you.

Gentlemen of the Legislative Council, Gentlemen of the House of Assembly,

The apprehensions evinced by the Legislature during the last session, by the passing of the Act to establish Boards of Health within the province, and to enforce an effectual system of Quarantine have been but too fatally realized; and the frightful disease, the introduction of which it was the principle object of that Act to prevent, has visited the Colony with a degree of violence of which there are few examples on record, in other parts of the world.

Happily that disease is now considered to have ceased to prevail epidemically in the Province; but in the event of its reappearance, it may be presumed that the experience acquired during its late visitation, will (if those establishments are to be maintained) enable the several Boards of Health to improve upon the regulations already adopted by them.

I should be guilty of injustice towards the individuals composing and connected with these establishments, especially the gentlemen of the Medical profession, were I to pass over in silence the meritorious services performed by them in the discharge of an arduous, important, and in many instances an invidious duty, the nature of that duty being altogether new in this country, the performance of it was attended with many difficulties in the commencement. These have been gradually overcome through the united efforts of zeal and experience, and I trust that the services to which I now allude will be duly appreciated by the public for whose benefit they were undertaken.

The gratuitous assistance rendered to the poorer classes of society by the Medical faculty, generally throughout the Province, is also entitled to warm commendation.

Before I take leave of this subject, and close the present Address, I must not omit to offer the tribute of praise due in a quarter which I approach with sentiments of the most profound respect—you will, I am sure, have anticipated me when I add,

that I here allude to the meritorious exertions of the Clergy in general, during that awful visitation, with which it has pleased Divine Providence to afflict this land.—In that season of terror and dismay, where even to approach the dwellings of those who were suffering under the influence of the prevailing disease, required with many persons an effort of the mind, the Ministers of religion went courageously forth, and entering the abodes of disease and death, were there to be found, day after day and night after night, bending over some devoted victim of the fatal malady; and whilst inhaling the tainted breath that issued from his disordered frame, pouring words of comfort, and consolation in his ear, and preparing his soul for its passage into another state of existence—such exalted instances of self devotion are far, very far, beyond the reach of any praise that I have the power to bestow; and I will, therefore, only add, that by their conduct during the late prevalence of disease in the Province, the Clergy in general have acquired new claims upon the love, the gratitude, the veneration and the confidence of the people committed to their spiritual care.

## FIFTH EXPULSION OF ROBT. CHRISTIE, ESQ.

Mr. Speaker having announced the return of Robert Christie, Esquire, as member for the County of Gaspe, Mr. Bourdages moved that the entries on the journals of this house of the 14th Feb. 1829, 22d January 1890, and 15th Nov. 1881, relating to the expulsion of the said R. Christie from this house, be now read. Those entries being read, Mr. B. observed that Mr. Christie having been duly expelled from the house several times by a considerable majority, it now only remained to prove that the Robt. Christie now returned was the same Robert Christie who had been so expelled for three or four times. Mr. B. asserted that he greatly respected the rights of the electors, but he respected still more the rights of this house, which the electors of Gaspe did not seem either to know or respect, especially as this obnoxious man had contrived or instigated, a fresh contempt, a new insult to the house, demonstrated the hatred, the desire of vengeance he entertained by the absurd project to which he had avowedly given rise for the dismemberment of the Province, and the annexation of Gaspe to another Province. In fact Mr. C. seemed to be a man who wanted to make a noise, who, being debarred from doing it here, was determined to do it elsewhere. After some further observations bearing on this question, Mr. B. moved that the R. Christie now returned to the house was the same person who had been heretofore expelled and declared unworthy of sitting or voting in this house.

Mr. Power, the new member for Gaspe, after some preliminary remarks as to his deficiency and inexperience, would not have been the first on this occasion to speak, were it not that he had the honour to be one of the representatives for the County of Gaspe. As such he would claim from the consideration of the house the postponement of this question till Monday next. He did so particularly on account of the new members who had just taken their seats, as well as himself, and because this was, *quoad* those new members, a new Parliament.

Mr. D. Moxley, considered that it was due in justice to the County of Gaspe to have the question judged by a full house of all the members.

Mr. Blanchard, conceived that the house could not recede from their former decision in this case without dishonouring themselves; nor unless new causes were shown to recind their former judgment, and as for the new members they were fully justified in being guided by that of preceding Sessions.

Mr. Bourdages again spoke, and particularly remarked on the audacity of a man who dared to utter menaces against the Province. What member could sit by the side of such a man. But the whole proceeding might be compared to the endeavours of a man, with a mortal disease, to prolong his existence at all hazards.

Mr. Devard said that it appeared to him that the dearest interests of the country were here sacrificed to the indulgence of sentiments of hatred and vengeance against one man. It was not now the interests of Robert Christie that were at stake, but the privileges of the County of Gaspe, and we were constantly confounding names with things—the name of R. Christie with the privileges of electors. It had been well said by a French author, that the sword of justice, was more honourable in its rust than in its use, and whoever had the wielding of that sword, it ought to be employed with discretion and prudence. If not, its edge might be turned against ourselves—we could not say to the electors of Montreal, or any other place, if you do not send us a man that pleases us, we will turn him out of doors. We were contemplating a constitutional question with the person of R. Christie. A similar personal question had occupied the English House of Commons for many years, and they had after all been forced to acknowledge that they were in error; it was the case of Wilkes to which he alluded in which experience finally showed that they had assumed a power that did not belong to them. After some further observations Mr. D. said there was no reason to hurry this on. Were the gentlemen present and were to take his seat for a time, what harm would result—he had done so before. Mr. C. had sat in the house for more than a week, and yet no injury had arisen from it. But he is not now in Quebec, and cannot take his seat, let us at least give all hon. members time to consider a question which cannot possibly do any harm, till the evil, if it be one, actually arises.

Mr. Neilson conceived that there could not exist any right in any part of the province to send any one to this house who was notoriously objectionable to us. It was notorious that R. Christie had been guilty of a contempt of this house by endeavouring to influence its members, and threatening them with punishment if they did not listen to the dictates of the Executive of the time. He, Mr. N. considered that the contempt could never be purged until the individual comes, submits to the judgment of the house, and acknowledges his guilt, and it would then be for the house to determine whether they would remit the penalty and pardon the offence. With respect to the new members, certainly if they desire it, he should not object to a delay to give them time to make themselves more acquainted with the subject.

Mr. Robit, the new member for L'Assomption, apologizing for his not being acquainted with parliamentary speaking, considered that out of respect to the House, and respect to himself, he was bound to say that, whoever had access to the journals must know that Robert Christie had abused his situation as Chairman of the Quarter Sessions and as a member of this house to subvert the freedom of debate;

and he considered himself bound by the decisions on that score of former parliament—but this was not a new parliament, it was one which had already condemned R. Christie, and whose sentence we were therefore bound to follow up.

Mr. Vanpelt, thought the question was simply whether the whole Province was to be guided by the County of Gaspe, or the County of Gaspe by the Province. The learned gentleman referred to the cases of Hall, who in 1890 for publishing libellous matter against the House of Commons, and was expelled—re-elected in 1890, and again expelled; also the case of Taylor, who was declared ineligible to sit in succeeding parliaments. The case of Wilkes, to which the honourable member for the Upper Town, (Mr. Duval), had alluded, was not in point. Wilkes was not expelled for a libel or contempt against the house, but against a magistrate, a matter for which the law provided a remedy—not for an infraction of the privileges of the house, but for an offence that was punishable at common law. The house would dishonour itself by retracing its steps. The honourable member for the County of Quebec had pointed out the only remedy, which was for the offender to express his repentance and throw himself upon our mercy. As to the County of Gaspe they had only to blame themselves for what they suffered by means of their obstinacy.

Mr. Guay argued in favour of the courtesy of a little delay for those new members who were here, and those who were yet to arrive, to make up their minds on this occasion—many honorable members were not now in their places, who desired to vote upon it—who had a right to vote upon it—therefore why such precipitation—besides it would be throwing discredit upon the procedure should it be carried through in a hurry—it would be said it was done in an assembly proportionately little numerous, and consequently of little weight—there was nothing to fear from delay. The importance that seemed to attach to the individual in question gave him too much honour, it has been said that he was threatened to procure the dismemberment of the Province; the house owes to its own dignity to disregard such threats, which are like the waves of the sea breaking themselves against a rock. Courtesy and propriety to the new and absent members required delay; but as it was possible the house might proceed to night to determine upon the merits of the question, he would suppose it so.

The crime Mr. Christie had committed was an abominable one, a shameful one—one that required condign punishment—but punishment had been awarded—had been inflicted—even in cases of corruption and bribery, shameless and injurious as they were, expulsion alone was the punishment, for, though they could not be re-elected for the same Parliament, they might for another—their civil rights were restored—they had suffered the sentence of the law, and could not suffer a second sentence. This is a maxim not only of jurisprudence, but one of sound reason and true justice. The punishment of a crime is defined, and to go beyond it, is not only inflicting double punishment, but inflicting punishment upon the guilty, for he that has expiated his guilt by suffering its due punishment, is restored to a state of innocence in a civil point of view. As to the policy of re-admitting Mr. Christie, what harm can ensue from it—rather good—we know are put on our guard against him—we know and him now and need not be afraid of him—and if he again offends, bring him again to trial. But if expulsion be necessary now, let a resolution be proposed to render him for ever ineligible, and not be every session banded about in this way. Yet there are serious prospective evils to look to:—if a majority can expel or render ineligible one, they can do so by ten; and he would ask if the Legislative Council had the power to refuse members sent to them, should we see so many persons of independence and integrity who have been added to them, in their seats.

Mr. Stuart did not intend to have said one word on this subject, but he had heard things stated that were so manifestly contrary to the constitution and to the law of the land, that he could not refrain from relating them. It had been stated as a proposition that the right of expulsion existed as long as the offence had not been purged by recantation or acknowledgment of crime, and even then was only conditional and depending on the will of the house. The contempt committed had been punished by the expulsion, and it tolerable and barely tolerable that such a sentence of expulsion should remain in force pending the duration of that parliament; but we, a new parliament, could have no right to punish anew, an offence, not committed against us, but against others. It had been well observed that it was not with R. Christie we had now to do, but with the County of Gaspe. He would defy any lawyer to lay his finger upon any statute law or any parliamentary precedent, by which we could deprive any of the King's subjects of his inalienable right by our own simple will and pleasure; to occupy a seat in the house was an inherent right in all who were elected, and until there was an disqualifying law, it was not in the power of the House to disqualify any one. He granted of course the power of the House to punish any delinquency, but the punishment having been undergone, the individual was reinstated in his rights. By our present proceeding we were far from weakening the cause of Robert Christie, but our own strength and privileges. He should vote for the postponement till Monday.

Mr. Power had heard nothing urged to convince him his motion for a short delay was unreasonable. The hon. member for Nicolet said a great deal about the man, but he had nothing to do with the man; we had to consider the question as a constitutional one; himself and many other hon. members, who had only taken their seats to day were totally unprepared; and it became an essential point to consider whether constitutional principles would or would not be restated. Conditional principles strictly enjoined the separation of the legislative, the judiciary, and executive powers, which could not be blended. Now the question was, in how far the privilege claimed by the House in this instance, did or did not go to confound those powers. Hon. members had, it seemed to him, constituted themselves into accusers, legislators, judges, and it might even be said executioners. If the privileges of the House were not defined, they might degenerate into a perfect despotism. The hon. member for L'Assomption had maintained that the case for having been already decided, members were bound in honor to vote according to that decision, unless his own opinion coincided with it; we were now called upon to give judgment and we ought not to be guided in that solely and alone by the judgment of others.

The motion in amendment for postponing the discussion till Monday was then put, and lost upon a division of 14 yeas, against 42 nays.

Mr. Neilson.—Before voting on the main question wished to say a few words, in answer to the hon. member for the Upper Town, as to the disability? We did not create the disability, but Robert Christie did. We were asked