

THE "SUPREME PARLIAMENT."

A QUESTION OF CONSTITUTIONAL POWER OVER OUTER BRITAIN.

Representation in Imperial Government a Condition of Imperial Control—An Argument for Federationists.

We reprint from *Imperial Federation* an extract from a noticeable letter sent to that journal on the above subject by Mr. Thomas Hodgins of Toronto; in which the writer replies to the contention that the consent of the "supreme parliament" is necessary before any colonial legislature can discriminate in its tariff against British goods or from any sister colony. He quotes one of Lord Somers's tracts to the effect that "Parliament in its legislative power is as narrow-bottomed as its electorate," and goes on to say, "as a sequence it must be conceded that, without some representation in the law making authority, there is no assent to the laws there made, so as to make them constitutionally binding on the unrepresented."

This seems good sound British law to our mind, and it is also a most potent argument in favor of a Federal Parliament that federationists should not forget.

Mr. Hodgins shows that in former times the imperial acts made provision that in colonies and dependencies a uniform imperial tariff should be imposed on all merchantable goods and the local governing bodies allowed in addition to impose a supplementary tariff for local revenue purposes only. It was at a later period provided that when the colonial laws imposed upon British goods a tariff higher than on foreign goods, an additional duty must be charged on the latter equal to the excess.

In 1846 an imperial act was passed giving up imperial control over colonial tariffs and conferring on the colonies power to make their own tariffs exclusively.

In 1861 the statute law revision act is alleged to have repealed the act of 1846.

This being the ground work of the argument, Mr. Hodgins goes on to say:

"It is a well recognized rule of constitutional law that when the Crown creates a Local Legislature within a colony, and vests in it the power of making laws and levying taxes, the Crown's prerogative of legislative power is irrevocably granted to all who were, or should become, inhabitants, or who had acquired, or should acquire, property in such colony (per Lord Mansfield, C.J., in *Chapman v. Hall*, Cowper, 213). If then the Crown's power of legislation in a colony is divested by the establishment of a Colonial Parliamentary Government in the case of a Crown grant, on what logical constitutional ground can a power of legislation be held to be retained over the Colony by the Imperial Parliament in the case of the Parliamentary grant? The Parliamentary grant, though in the form of a statute, is the same in effect as letters patent from the Crown, for Parliament, in granting a charter of Colonial Parliamentary Government, represents and exercises only the ancient regality of the Crown over the Colonies. And it is a maxim of law and reason: *Quando lex aliquid concedit, concedere videtur et id sine quo res ipsa esse non potest.*

"The powers conferred upon Colonial legislatures are not (says the Judicial Committee of the Privy Council) in any sense to be exercised by delegation from, or as agents of, the Imperial Parliament. Their authority is as plenary and as ample within the limits presented by their charters as the Imperial Parliament in the plenitude of its power possessed and could bestow. Within these limits the Colonial Legislature is supreme, and has the same authority as the Imperial Parliament (*Hodge v. Regina*, 9 App. Cas. 132).

"To the Colonies it matters not whether the so-called 'Supreme Parliament' is a locally-elected, nominated, or self-appointed body, or whether its members consist of six or six hundred persons; for the British electorate in the Colonies have no representation in it, nor voice or vote in assenting to or opposing laws, or ordinances, or Imperial decrees it may seek to impose on the unrepresented Colonial subjects of the Crown.

Whether a successful scheme of Imperial Federation can be framed from some of those already discussed, or upon the basis of a Federation representing each Kingdom and Colony for defined and imperial legislative purposes—Imperial in a more real sense than at present understood—or on the

basis of a Federation of local sovereignties under the Imperial Crown, for the three great national purposes of *Citizenship, Defence, and Trade*, I say not. Careful and patient investigation of the fundamental rules and maxims which define the well-founded freedom and electoral rights of all the subjects (home and Colonial) of the Empire, and which usage and precedent have crystallized into our Constitution, if aided by a statesmanlike comprehension and discussion of the principles which should underlie a feasible and real Federation of the Empire, may yet elaborate a scheme which will draw forth a large sympathy and support from the scattered and disunited communities which now constitute what is called the British nation and Empire.

"But whatever may be the future of any such scheme or policy, it may be conceded that the Imperial Federation League has been beneficial in establishing a real and veritable federation of the subjects of the Crown by drawing them together under the title, not of mere demizens of isolated sovereignties or Colonies, but of an Imperial nationality, not inconsistent with a natural pride and interest in the home or Colonial community of which they are members."

BY THE ENGLISH MAIL.

The Duchess of Edinburgh will not return to England before the latter end of June, owing to the serious illness of her son prince Alfred of Edinburgh. The young Prince continues to improve, but very slowly.

Prince Ferdinand gave a farewell dinner to Mr. O'Connor, the British Agent in Bulgaria.

A serious accident has occurred at Nice to Prince Edward of Leiningen, brother of Prince Ernest of Leiningen, Admiral in the British Navy. As he was alighting from a tramway car in the Avenue de la Gare, he was knocked down by a passing vehicle and seriously injured on the head and legs. He lost consciousness for some time, but his injuries, though severe are not dangerous.

The *Jewish Chronicle* states that, when the death of the Baroness Bettina de Rothschild was made known at Court, the Austrian Emperor sent his First Chamberlain, Prince Hohenlohe, with a message of condolence to the bereaved husband, Baron Albert. The Empress sent from Corfu a telegram speaking in affectionate terms of the late Baroness. Baron Alphonse de Rothschild, father of the Baroness, has caused 50,000fr. to be distributed among the poor of Paris, of all creeds, in memory of his daughter.

The Newbury Corporation has passed a resolution asking the home Secretary to remove the Recorder of that borough, Mr. G. M. Dowdeswell, Q. C., on account of the severity of some of his sentences for petty offences.

The Committee of the Athenæum Club has elected the following gentlemen "for distinguished eminence in science, literature, or the arts, or for public services":—Mr. Frances Darwin, F. R. S., author of "The Life and Letters of Charles Darwin"; Mr. Frank Dicksee, R. A.; and Professor H. F. Pelham, Camden Professor of Ancient History in the University of Oxford.

It is semi-officially announced that Mr. Cyrus W. Field, jun., will be appointed United States Consul at Birmingham in place of Mr. John Jarrett, of Pennsylvania, who has resigned.

COUNTESS IN THE SKIRT DANCE.

The Countess Russell and her friends have been performing at the Royalty Theatre in aid of the National Lifeboat Institution, a bill consisting of Mr. Gilbert's comedietta *Sweethearts*, and the well known burlesque *A Pantomime Rehearsal*, with an interpolated skirt dance. The programme proved exceedingly well suited to the capacities of the company, and its several items were received with much favor. Especially flattering was the reception of the skirt dance, in which Lady Russell and her sister, Mrs. Dick Russell, took part. Other members of the company engaged in this charitable enterprise were Mr. Dick Russell, Mr. and Mrs. L. G. Levenson, Mr. H. Levenson, Mr. F. and Mr. C. Mambert, Mrs. Phillips, Miss Kauffman, Mr. Arthur Styan, and Mr. J. A. Bentham.

PRIMROSE DAY.

Celebrating the anniversary of Lord Beaconsfield's death, a number of wreaths were placed on the tomb in Hughenden Church, and the statue in Parliament square was decorated with primroses and other floral offerings. In Liverpool the statue of the late Earl in front of St. George's hall was also adorned with primrose wreaths and other tributes. At night a great Unionist demonstration was held on the open space near the statue.

GLADSTONIANS AT HAWARDEN.

The Rosendale Union of Liberal Clubs, which represents a membership of about 2,000 persons, recently visited Hawarden and presented Mr. Gladstone with some specimens of Rosendale manufacture, including two pairs of felt slippers, a felt sofa rug, and two pieces of print, 40 yards in length, very artistic in design. Mr. Gladstone, in a few words, thanked the deputation for their kindness, and expressed his great satisfaction at the presentation. For more than an hour the crowd remained in front of the castle alternately singing hymns and giving cheers for Mr. and Mrs. Gladstone. A resolution of confidence having been passed and presented, Mr. Gladstone came out for a few minutes and said:—"You must pardon me, gentlemen. I have only voice enough to say I am delighted you have had a tolerably good day, and to add, God bless you."

SCHOOLS AND INTemperance.

The National Temperance League, being anxious to learn to what extent the attendance of children at school is influenced by the intemperance of parents, have held a conference in Sion College, Victoria Embankment, at which nearly 200 of the School Board officers in London and from the provinces were present. The Bishop of London opened the conference. All the speakers agreed that the intemperance of parents was the chief, but by no means the only, factor in irregular school attendance. Amongst the other causes named were honest poverty, bad dwellings, excessive rents, and want of regular employment. In regard to the remedies, drastic suggestions were offered for dealing with the liquor traffic, and it was urged that temperance teaching in schools should be made by the legislature a compulsory part of the educational code. It was freely admitted that the Board schools had raised the moral tone of the people.

THE DEARTH OF TEACHERS.

"One of the Profession" writes, suggesting as a remedy for the growing dearth of teachers, that encouragement should be given to men holding University degrees to take up elementary teaching as a profession. Scholastic agents state that the supply of well-qualified University men seeking work in the so-called higher branches of the profession far exceeds the demand.

ALLEGED CLERICAL OPPRESSION.

The South Wales Liberal Federation, at a meeting held to consider what steps should be taken in view of the alleged clerical oppression of Welsh Nonconformist farmers, resolved—"That this meeting, while thanking Mr. Alfred Thomas, M.P., for bringing forward his Welsh National Institutions Bill and so directing attention to the pressing need of Home Rule for Wales, is strongly of opinion that a measure of Welsh Home Rule of more advanced scope should with the co-operation of the Welsh organization, the Welsh Liberal representatives, and the Welsh county councils be brought forward on an early and suitable opportunity; but in the meantime all the energy of the Welsh liberal party be concentrated on pressing forward the question of Welsh disestablishment to successful issue."

SEAMAN'S PENSIONS.

The Select Committee appointed "to inquire into the causes which have led to the limitation in the number of seamen receiving age pensions out of Greenwich Hospital funds, to consider whether any steps can properly be taken to make provision for a larger number of pensioners, and to inquire into their alleged grievances," have decided to recommend that the annual payment of £16,000 which was made out of the Consolidated Fund from 1834 to 1835, but which ceased in the latter year, should be revived, and that the rent paid for the use of the Hospital buildings by the Naval College should be largely increased.

THE NATIONAL CONSERVATIVE LEAGUE.

At a recent meeting of members of Parliament having seats upon the council of National Conservative League, it was unanimously resolved:—"That considering the very useful work already accomplished by that organization and the inexpediency of allowing its work or efficiency to be diminished on the eve of a general election, it is desirable that a special effort should be made to provide for the working expenses of the central office, and if possible, secure the retention of the very valuable services of the organizing secretary." As a result of this resolution Sir W. Hart Dyke, the Grand Master of the League, has issued an appeal to members of the party, and several substantial donations have already been promised.

A NEW PLAN OF CAMPAIGN.

A prolonged meeting of the Anti-Parnellites was recently held in one of the committee rooms of the House of Commons, for the purpose of receiving a report from the consultative committee respecting the future plan of campaign in Ireland and America. Since Dr. Fox's return from the United States the consultative committee have daily conferences, and it is stated that the result of the Transatlantic mission will have an important bearing upon methods adopted at the general election. It has now been determined to contest nearly all the Parnellite seats, and on Monday preliminary arrangements were made for a series of country conventions, at which the names of the proposed candidates will be approved.

EMIGRANTS FOR CANADA.

Under the auspices of the Self-Help Emigration Society of some 3,666 emigrants have been provided with homes abroad since the formation of the society in 1884, and last week another batch of emigrants left Euston for Canada. The annual report of the society, which has just been published for the past year, bears among other names on the committee the Earl of Aberdeen, the Earl of Roden, Lord Monkswell, Lord Dorchester, the Hon. John Waldegrave, Sir R. W. Beauchamp, Sir William Gurdon, K.C.M.G., and Mr. H. L. Lawson, M.P. The emigrants assisted in 1891 were 343. The total income of the society last year was £2,236 18s., voluntarily contributed. To correspondents in Canada the committee are under a deep debt of gratitude for the help rendered in placing the emigrants in employment.

India.

Lord Wenlock is now engaged in making a searching personal inspection in the districts affected by the drought. Speaking at Baizwada, he expressed surprise that two great and important cities like Madras and Calcutta should have waited till near the end of the century before being joined by a railway, and that the East Coast Railway should be started by the construction of the central 500 miles out of the whole length of 1,000. He added that no efforts would be wanting on the part of the Madras Government to procure sanction for the extension of the line from Baizwada to Madras. A Bill to check the traffic in mhowra flowers, introduced in the Bombay Legislature by Sir Charles Prichard, is meeting with strong opposition from local papers, European and Mhowra is used in distilling liquor, and its illicit distillation, it is claimed, shows an alarming increase. On the other hand it is denied that there is an increase in illicit distillation, and it is also urged that mhowra is an article of food with some of the poorest people on whom the proposed Act will entail hardship.

Uneasiness has been caused in the Black Mountain district by the reappearance of Hashim Ali, the principal leader during the last expedition, on the conclusion of which the tribesmen undertook to prevent him from returning. He has now, with a small following, occupied Baiao, on the right bank of the Indus. The tribes on his side show no sign of joining him, but as a precautionary measure a wing of the 5th Goorkhas, now at Abbottabad, is to move to Oghi.

Stray parties of Lushais have worked back across the frontier with an intention of raiding the tea gardens. One raid was successful, but a second, against the Monier Khal garden failed, owing to the presence of a guard of sepoy. Further south the rising is pretty general. Mr. McCabe captured the Poibois village at dawn on the 13th inst., losing only one man, a police sepoy, who was mortally wounded. He found the troops but the greater part of the houses was destroyed, Mr. McCabe only reserving as many houses as would accommodate his men. Attacks on our communications continue to be reported. On the 13th two sepoy escorts the executive engineer and road party were killed; and one sepoy and a boatman were killed near Chang-sil on the 12th. The friendly chief Lenkhunga has intercepted and sent back nine of the captives who were taken at Boorooncherra.


Second Lieut. Grey, of the 7th Dragoon Guards, was tried at Umballa by courtmartial on charges of forgery and uttering a forged document. He was convicted and sentenced to be cashiered. The commander-in-chief has confirmed the sentence.

The new name for the man who throws a banana peel on the side-walk is a bananarchist. Money is not exactly a religious article, but still it has a denomination of its own.

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