

## SESSIONAL PAPER No. 8c

followed the town or borough of Three Rivers, ending with the town or borough of William Henry. The boundaries are minutely described in both the documents cited, but the population is not given in that of 1792, so that by this want means are not furnished for comparing the populations at the respective dates. In accordance with the power vested in the governor, the legislature was called together. It had been decided that the different counties were to send two members each, except that of Gaspé, Bedford and Orleans, which were only to have one each. The two cities of Quebec and Montreal were each to have four members, the town or borough of Three Rivers to have two, and that of William Henry to have one. The proclamation to call together the legislature was dated 14th May, 1792, the writs "to bear test" on the 24th of the same month and to be returnable on the 10th July following. According to the distribution the number of representatives at that date would be 50.

As the years passed on the feeling of the House of Assembly did not become more reconciled to the control in many cases exercised by the Legislative Council or even by the governor, although the latter was usually not given to exercise his authority to its full extent. On the 29th April, 1830, Sir James Kempt transmitted a bill, which had been passed by the legislature providing that no one accepting an office of emolument under the Crown should hold a seat in the Assembly as representative. This bill he had reserved on the report of Mr. Ogden, the Solicitor General, who took the ground that it was intended still further to restrict the influence of the Crown which already possessed too little (Q. 194—1, p. 147). The Legislative Council and Assembly were not on friendly terms; it is not necessary to give instances of their disagreements, these being frequent and often acrimonious, the quarrels between them not always tending to the well being of the province.

The disturbed feeling was not confined to the Assembly of Lower Canada, but extended also to Upper Canada. Sir John Colborne writing in February, 1829, attributed the feeling of irritation in Upper Canada to jealousy of the supposed influence of leading officials of government and of their control over the numerous district appointments. The licentious press, as Sir John described the newspapers of the day, raised a clamour in respect to the naturalization bill and the clergy reserves, with most mischievous effect, as he alleged. These two subjects with the charter of King's College and the case of Judge Willis had so decided an influence on the election that some very objectionable members were returned, in consequence of which supply might be withheld to force the Crown to give up the revenues arising under the statute of 14 George 3, cap. 88. The governor charged the editor of a York paper with moving addresses for returns to enable him, when the papers asked for were brought down, to make his own comments on them and thus keep up a spirit of discontent in the province. The prosecution of Francis Collins, printer and publisher of the *Canadian Freeman*, was made the subject of representations by the Assembly and of charges against the judiciary. Collins was tried for libels on the lieutenant governor and the administration of justice and on the Attorney General and convicted. The Assembly in resolutions submitted to the King charged Judge Hagerman with having made the jury bring in a different verdict from that intended. The resolution says:

Mr. Justice Hagerman, who was one of the persons alleged on the record to be libelled refused to receive the verdict as first tendered by the jury viz.: "Guilty of libel against the Attorney General only" and directed them to find a general verdict of guilty with which direction the jury complied.