

“the Committee “a one-sided Committee”—“the Petitions he had never seen till that day—they had been got up by some body or other.”

“The Solicitor General wished the Petitions to be referred to a Committee of the whole House, and thus be got rid of at once, and not referred to the Committee named by Mr. Mackenzie, who would call witnesses where none were wanted, and thus increase the expenses of the Session.—He asserted this, altho’ there was nothing in the motion that gave the Committee any power to call a single witness.—Messrs. Burwell, Jarvis, and others opposed to the rights of the people, were of course in favor of Mr. Thomson’s amendment, the votes in favor of which were as follows—Messrs. Shade, Henry. J. and George Boulton, Burwell, Elliott, A. Eraser, R. D. Fraser, Sheriff Jarvis, Lewis, Mac Nab, M^cMartin, Solicitor General, Magon, Mount Samson, Thomson, Warren, and W. Wilson.—The members opposed to Mr. Thomson’s amendment, (introducing a species of vote, in which the constituents of members could not learn how they had acted,) and who would have intrusted the Petitions to a Committee of persons favorable to the prayer of the Petitioners, were Messrs. Buell, Campbell, Cook, Duncombe, Howard, Ketchum, M^cCall, Mackenzie, Perry, Roblin, Shaver and White.—The Executive faction carried their measure by a majority of 6.”

“And also a certain other article in the said paper called the Colonial Advocate, of the date 1st December, 1831, in the following words” “Excellent example of Lower Canada.”

“The Harmony which subsists between the Governor in Chief, the H. of A. [meaning the House of Assembly] and the Colonial Secretary Lord Viscount Goderich must be pleasing and gratifying to every true friend of representative government, for it is evidently the consequence of a just and honorable course of procedure in these high parties towards the people of Lower Canada. We are glad to perceive by Lord Goderich’s despatch in answer to the Assembly’s petition sent home last Spring by Mr. Viger that all the Judges are to be dismissed from the Executive and Legislative Council, that the revenues of the Jesuits estates are to be applied by the Province to educate the Canadians, that the power of regulating trade is to be exercised in future with great attention to the interests of the Colony, that provincial bills for giving corporate powers and making local regulations will be sanctioned, that the right of the Colonists to regulate their internal affairs is fully admitted, that offices of trust and profit are to be more equally distributed in future, that officers who have lost the confidence of the country are to be dismissed if the complaints made against them are proved, that all the proper influence of government is to be given to the satisfaction of the Colony, and that any Colonial law increasing the responsibility and accountability of public officers will be sanctioned by England. In the Assembly we see noble and patriotic efforts made to increase the happiness of the people, enlighten their understandings, and watch diligently over their rights and privileges; and on the part of the Governor in Chief there does really appear to be a willingness to act with the house of Assembly and faithfully to assist them in securing for the country the inestimable advantage of good laws and free institutions.”

“The contrast between their Executive and ours, betwixt the materiel of our Assembly and theirs, and between the use they make of an invaluable constitution and our abuse of it, is any thing but satisfactory to the friends of freedom and social order in Upper Canada. Our representative body has degenerated into a sycophantic office for registering the decrees of as mean and mercenary an Executive as ever was given as a punishment for the sins of any part of North America, in the nineteenth century.—We boast of our superior intelligence, of our love of liberty; but where are the fruits? Has not the subservience of our Legislature to a worthless Executive become a bye-word and a reproach throughout the Colonies? Are we not now, even during the present week, about to give to the municipal officers of the Government, as a banking monopoly, a power over the people, which added to their already overgrown influence, must render their sway nearly as arbitrary and despotic as the iron rule of the Czar of Muscovy? Last winter the majority of our Assembly, with our Speaker at their head, felt inclined to make contemptuous comparisons between the French inhabitants of the sister Colony and the enlightened constituents who had returned them the said majority. In our estimation and judging of the tree by its fruits, the Lower Canadians are by far the most deserving population of the constitution they enjoy, for they show themselves aware of its value; while judging of the people here, merely by the representatives they return, it might be reasonably inferred that the constituents of the McLeans, Vankoughnetts, Jarvises, Robinsons, Burwells, Willsons, Boultons, MacNabs, McMartins, Frasers, Chisholms, Crooksies, Elliots, Browns, Joneses, Magon, Samsons and Hagermen, had emigrated from grand Tartary, Russia or Algiers, the week preceding the last general election; for although in the turgid veins of their members there may be British Blood, there certainly is not the appearance of much British feeling,” are gross scandalous and malicious libels intended and calculated to bring this house and the government of this Province into contempt, and to excite groundless suspicion and distrust in the minds of the inhabitants of this province, as to the proceedings and motives of their representatives.”

Mr. Samson, seconded by Mr. Robinson, moves that the further consideration of the question of privilege, be adjourned until Monday next, and that it be the first item on the order of the day. Ordered.

Monday, 12th December, 1831.

Mr. Samson, seconded by Mr. MacNab, moves that it be resolved, That William Lyon Mackenzie, Esq. a member of this House, having avowed himself the author of the articles published in the newspaper called the Colonial Advocate, mentioned in the resolution of this House, on Saturday last, which articles are grossly false, scandalous and defamatory, and having been heard in his place in defence of the same, has, by the whole tenor of such defence, flagrantly aggravated the charge brought against him, and is therefore guilty of a high breach of the privileges of this House.

In amendment, Mr. Perry, seconded by Mr. Lyons, moves that after the word “Resolved” in the original, the whole be expunged and the following words inserted:

“That as this House has allowed many other publications to pass without punishment or censure, reflecting on the character and motives of its members, for many years past, and as addresses to the head of the provincial government, for the time being, have been published in the Official Gazette, containing such reflections, with answers of his Excellency, the then Lieutenant Governor, expressing his thanks for such addresses; and as this House has by the resolution, adopted on Saturday last, asserted its privileges, and shewn its determination, hereafter, to take notice of such offensive publications, it is not expedient to take any further notice of the said libels published in the Colonial Advocate.

On which the House divided, and the yeas and nays were taken as follows: