

Adjourned till Monday at ten o'clock, A. M.

MONDAY, 12th DECEMBER, 1831.

The House met.

The minutes of Saturday were read.

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 libel published in the Colonial Advocate.

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

## YEAS.—Messieurs,

Beardsley,	Clark,	Lyons,	Randal,
Bidwell,	Cook,	McCall,	Roblin,
Buell,	Howard,	Perry,	Shaver,
Campbell,	Ketchum,		

## NAYS.—Messieurs,

Atty. General,	A. Fraser,	Magon,	Thomson,
Berczy,	R. Fraser,	Morris,	VanKoughnett,
Boulton,	Ingersoll,	Mount,	Warren,
Brown,	Jones,	Robinson,	Werden,
Burwell,	Lewis,	Samson,	W. Wilson,—
Duncombe,	McMartin,	Shade,	
Elliott,	Macnab,	Sol. General,	

The question of amendment was decided in the negative by a majority of twelve.

In amendment, Mr. Attorney General, seconded by Mr. Berczy, moves that the word "therefore," in the original resolution, be expunged.

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

## YEAS.—Messieurs,

Atty. General,	A. Fraser,	Magon,	Thomson,
Berczy,	R. Fraser,	Morris,	VanKoughnett,
Boulton,	Ingersoll,	Mount,	Warren,
Brown,	Jones,	Robinson,	Werden,
Burwell,	Lewis,	Samson,	W. Wilson—26
Duncombe,	McMartin,	Shade,	
Elliott,	Macnab,	Sol. General,	

## NAYS.—Messieurs;

Beardsley,	Clark,	Lyons,	Randal,
Bidwell,	Cook,	McCall,	Roblin,
Buell,	Howard,	Perry,	Shaver,
Campbell,	Ketchum,		

The question of amendment was carried in the affirmative by a majority of twelve.

On the original question as amended, the House divided, and the yeas and nays were taken as follows:

## YEAS.—Messieurs.

Atty. General,	A. Fraser,	Magon,	Thomson,
Berczy,	R. Fraser,	Morris,	VanKoughnett,
Boulton,	Ingersoll,	Mount,	Warren,
Brown,	Jones,	Robinson,	Werden,
Burwell,	Lewis,	Samson,	W. Wilson,
Duncombe,	McMartin,	Shade,	
Elliott,	Macnab,	Sol. General,	

## NAYS.—Messieurs,

Beardsley,	Clark,	Lyons,	Randal,
Bidwell,	Cook,	McCall,	Roblin,
Buell,	Howard,	Perry,	Shaver—14.
Campbell,	Ketchum,		

The question as amended was carried in the affirmative by a majority of twelve, and is as follows:

Resolved, that William Lyon MacKenzie, Esquire, 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 guilty of a high breach of the privileges of this House.

Mr. Samson, seconded by Mr. Werden, moves that it be resolved, that William Lyon MacKenzie, Esq. be expelled this House.

In amendment, Mr. Perry, seconded by Mr. Lyons, moves that after the word "moves" in the original, the whole be expunged and the following inserted: "that this House having fully asserted its privileges, by resolving some particular remarks contained in the Colonial Advocate of the twenty-fourth of November, and the first of December, reflecting on the proceedings of this Assembly and some of its members, to be a libel, and a high breach of the privileges of this House, it is expedient to appoint a committee of privilege to inquire and report to this House, what other, if any libels, have been published against the proceedings of this House or any of its members, since the commencement of the present Session, and that Messieurs Attorney General, Berczy, Duncombe, Beardsley and Ketchum, do compose said Committee.

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

## YEAS.—Messieurs.

Beardsley,	Clark,	Lyons,	Randal,
Bidwell,	Cook,	McCall,	Roblin,
Buell,	Howard,	Perry,	Shaver,
Campbell,	Ketchum,		

## NAYS.—Messieurs,

Atty. General,	Elliott,	McMartin,	Samson,
Berczy,	A. Fraser,	Macnab,	Shade,
Boulton,	R. Fraser,	Magon,	Sol. General,
Brown,	Ingersoll,	Morris,	Thomson,
Burwell,	Jones,	Mount,	VanKoughnett,
Duncombe,	Lewis,	Robinson,	Werden—24.

The question of amendment was decided in the negative by a majority of ten.

The Master in Chancery brought down from the Honorable the Legislative Council, a Bill, entitled, "An Act to provide that none of the ordinances made by the Governor and Legislative Council of the Province of Quebec shall continue to have the force of law in this Province;" and a Bill, entitled, "An Act to dispense with the necessity of taking certain oaths and making certain declarations in the cases therein mentioned, and also to render it unnecessary to receive the Sacrament of the Lord's Supper as a qualification for offices or for other temporal purposes;" both of which the Honourable the Legislative Council had passed and requested the concurrence of this House thereto.

The Bill sent down from the Honorable the Legislative Council, entitled, "An Act to provide that none of the ordinances made by the Governor and Legislative Council of the Province of Quebec, shall continue to have the force of Law in this Province;" was read the first time and ordered for a second reading to-morrow.

The Bill sent down from the Honorable the Legislative Council, entitled, "An Act to dispense with the necessity of taking certain oaths and making certain declarations in the cases therein mentioned, and also to render it unnecessary to receive the Sacrament of the Lord's Supper as a qualification for offices, or for other temporal purposes;" was read a first time and ordered for a second reading to-morrow.

In amendment to Mr. Samson's motion for the expulsion of W. L. MacKenzie, Esq.

Mr. Duncombe, seconded by Mr. Randal, moves that after the word "moves" in the original motion, the whole be expunged, and the following be inserted: "that it be resolved, that William Lyon MacKenzie, Esq. be called to the Bar of this House, and that he be reprimanded by the Speaker.