

NAYS.—Messieurs,

Nays 22.

Atty. General, A. Fraser,	Morris,	Sol. General,
Boulton, Jones,	Mount,	Thomson,
Brown, Lewis,	Robinson,	VanKoughnett,
Burwell, McMartin,	Samson,	Werden,
Chisholm, Macnab,	Shade,	J. Willson—22.
Elliott,	Maçon,	

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

The Speaker then read the Solicitor General's motion of yesterday, as follows:

Sol. General's motion for declaring Mr. MacKenzie guilty of libel read again.

Mr. Solicitor General, seconded by Mr. Elliott, moves that it be resolved that William Lyon MacKenzie, Esquire, a member returned to represent the County of York, in Provincial Parliament, has been expelled this House during the present Session, for the publication of certain gross, scandalous and malicious libels, intended and calculated to bring this House and the government of the Province into contempt, and to excite groundless suspicion and distrust in the minds of the inhabitants of the Province, as to the proceedings and motives of their representatives.

That since his re-election, in a certain newspaper, called the "Colonial Advocate," dated 5th January instant, in an article therein published, entitled, "Articles of Impeachment or public accusations read and submitted to the consideration of the electors of the County of York, in County Court assembled, on Monday, 2nd January 1832, by Mr. MacKenzie, their late Member, against the Lieutenant Governor and the advisers of the Crown," of which he has avowed himself the author—and in a certain other article in the same paper, of the same date, purporting to be an address "to the people of Upper Canada," of which he has also acknowledged himself the author—has, in high contempt of this House, and its privileges, not only repeated the said gross, scandalous and malicious libels, for which he, the said William Lyon MacKenzie had been expelled—but hath also, in the said articles, endeavoured by false, scandalous and malicious misrepresentations, to cause His Majesty's subjects of this Province to believe that the majority of their representatives should be held in execration and abhorrence by posterity, as enemies to the liberties of the people they represent—as persons who would by violent and unconstitutional means destroy the liberty of the press, and convert the fifty Members, of which this House is composed, into Tyrants in close and unholy alliance with trained bands of public robbers.

Wherefore it is resolved, that the said William Lyon MacKenzie be expelled this House, and declared unfit and unworthy to hold a seat therein.

And also Mr. MacNab's motion in amendment thereto, as follows:

Mr. MacNab's amendment read.

Mr. MacNab, seconded by Mr. VanKoughnett, moves that after the word "therein" the following words be added, "during the present Parliament."

House divides on amendment.

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

YEAS.—Messieurs,

Yeas 27.

Atty. General, Elliott,	Magon,	Thomson,
Berzey, A. Fraser,	Morris,	VanKoughnett,
Boulton, Jarvis,	Mount,	Warren,
Brown, Jones,	Robinson,	Werden,
Burwell, Lewis,	Samson,	J. Willson
Chisholm, McMartin,	Shade,	W. Wilson—27
Crooks,	Macnab,	Sol. General,

NAYS.—Messieurs,

Nays 19.

Beardsley, Cook,	McCall,	Randal,
Bidwell, Duncombe,	A. McDonald, Roblin,	
Buell, Howard,	D. McDonald, Shaver,	
Campbell, Ketchum,	Norton,	White—19.
Clark, Lyons,	Perry,	

Amendment carried.

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

The original question as amended was then put as follows:

Original question as amended put.

Resolved, that William Lyon MacKenzie, Esquire, a Member returned to represent the County of York in Provincial Parliament, has been expelled this House during the present Session, for the publication of certain gross, scandalous, and malicious libels, intended and calculated to bring this House, and the Government of the Province, into contempt, and to excite groundless suspicion and distrust in the

minds of the inhabitants of the Province, as to the proceedings and motives of their representatives.

That since his re-election, in a certain newspaper called the "Colonial Advocate" dated 5th January, instant, in an article therein published entitled, "Articles of Impeachment or public accusations, read and submitted to the consideration of the electors of the County of York, in County Court assembled, on Monday, 2nd January 1832, by Mr. MacKenzie their late member, against the Lieutenant Governor and the advisers of the Crown," of which he has avowed himself the author—and in a certain other article in the same paper, of the same date, purporting to be an address "to the people of Upper Canada," of which he has also acknowledged himself the author, has, in high contempt of this House, and its privileges, not only repeated the said gross, scandalous and malicious libels, for which he, the said William Lyon MacKenzie, had been expelled, but hath, also, in the said articles, endeavoured, by false, scandalous and malicious misrepresentations, to cause His Majesty's subjects of this Province to believe that the majority of their representatives should be held in execration and abhorrence by posterity, as enemies to the liberties of the people they represent, as persons who would by violent and unconstitutional means destroy the liberty of the press, and convert the fifty members, of which this House is composed, into Tyrants in close and unholy alliance with trained bands of public robbers, wherefore it is resolved that the said William Lyon MacKenzie be expelled this House and declared unfit and unworthy to hold a seat therein, during the present Parliament.

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

House divides on question of libel and expulsion.

YEAS.—Messieurs,

Yeas 27.

Atty. General, Elliott,	Maçon,	Thomson,
Berzey, A. Fraser,	Morris,	VanKoughnett,
Boulton, Jarvis,	Mount,	Warren,
Brown, Jones,	Robinson,	Werden,
Burwell, Lewis,	Samson,	J. Willson
Chisholm, McMartin,	Shade,	W. Wilson—27
Crooks,	Macnab,	Sol. General,

NAYS.—Messieurs,

Nays 19.

Beardsley, Cook,	McCall,	Randal,
Bidwell, Duncombe,	A. McDonald, Roblin,	
Buell, Howard,	D. McDonald, Shaver,	
Campbell, Ketchum,	Norton,	White—19.
Clark, Lyons,	Perry,	

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

Mr. Solicitor General, seconded by Mr. VanKoughnett, moves that it be resolved, that the Speaker of this House do issue his Warrant to the Clerk of the Crown in Chancery for a new Writ for the Election of a Member to serve in the present Parliament as Representative of the County of York, in the place of the said William Lyon MacKenzie, Esquire, who has been expelled this House and declared unfit and unworthy to hold a seat therein during the present Parliament.

Ordered.

Mr. Jarvis brought up the petition of Charles Perry, of the Town of York, Blacksmith; which was laid on the table.

Mr. Roblin brought up the petition of Neil McArthur, and ninety-seven others, of the Township of Ameliasburgh, and adjoining Townships, in the Midland District; which was laid on the table.

Adjourned.

MONDAY, 9th JANUARY, 1832.

THE House met.

The minutes of Saturday were read.

Mr. Ketchum brought up the petition of J. Ransom, and sixty-four others; Inhabitants of the Township of Toronto, in the County of York; which was laid on the table.

Mr. Ketchum brought up the petition of William Devenish, and eleven others, of the Townships of Scarborough and York; which was laid on the table.

Mr. Ketchum brought up the petition of Joseph Abbott, and twenty-five others, Inhabitants of the Township of Whitby, in the County of York; which was laid on the table.

Mr. Ketchum brought up the petition of William Johnston, and fifty-one others, Inhabitants of the Township of Chinguacousy, in the County of York; which was laid on the table.

Petitions brought up.

Wm. Devenish and others.

Joseph Abbott and others.

Wm. Johnston and others.

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