

## NAYS.—Messieurs,

Nays 15.

Beardsley,	Clark,	Lyons,	Roblin,
Bidwell,	Cook,	McCall,	Shaver,
Buell,	Howard, ]	Perry,	White—15.
Campbell,	Ketchum,	Randal,	

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

Original question as amended, carried.

The original question as amended was then put and carried, as follows:—

Original Resolution as amended.

Resolved, that an article published in the newspaper called the Colonial Advocate, of the date twenty-fourth November 1831, in the following words:—

## "STATE OF THE COLONY."

"The people of this Province will probably be able to form a tolerable fair estimate of the manner in which their petitions on public affairs are likely to be treated in the Representative Branch of the Legislature, when they learn the manner in which the first of the series has been disposed of."

"The petition of the people of Vaughan unanimously agreed upon at the Town Meeting, and signed by the Chairman, Secretary, and from two to three hundred freeholders and other inhabitants, was the first presented to the House, and after it had been read, and lain two days on the table, Mr. MacKenzie, a representative of the people, from whom it came, moved that it should be referred to a Committee of five Members, viz. Mr. Ketchum, the other Member for the County in which the petition was voted, and Messieurs Buell, Perry and Shaver, with the mover, as a matter of course. Mr. Thomson, of Frontenac, the Editor of the Kingston Herald, who had previously expressed great bitterness against the petitioners and their petition in the public Journals, immediately rose and objected to referring the petition to its friends, and allowing them to consider of and introduce any measures desired by the petitioners, and which they might consider expedient to the notice of the Legislature.—We told the people of York, last July, that this would be the result of any application to the Assembly, and therefore the more earnestly requested them to unite in addressing the King's Government, as by this means distinct propositions could be submitted to a new Assembly called as in England on the Reform Bill. We now urge all those intrusted with the general petitions to the King and House of Assembly, to send them to York, by mail, on the earliest possible day, in order that the former be forwarded to London, and the latter submitted to the Assembly, now in session. We learn that Chief Justice Robinson's successor in the law business, Mr. Draper, either has gone off this week to London, or is now about to set off, to oppose the general petitions and advocate the interests of the Executive faction here, with His Majesty's Government. They take the utmost pains to conceal their weakness, in the estimation of the country, and one of their ablest assistants leaves his own private business and prospects to watch the signs of the times at home."

Libel in Colonial Advocate.

"Mr. Thomson's amendment already spoken of, was a resolution "that the petition of the people of Vaughan, with all other petitions relating to the same subject be referred to a Select Committee of seven members to be chosen at twelve o'clock to-morrow."

"The Attorney General characterized the petitions as the expression of a "few people," "a few individuals," mere casual meetings," "he happened to have seen some of these meetings, but a few respectable farmers met together, did not at all understand the subject," and termed 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, although 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: Messieurs Shade, Henry J. and George Boulton, Burwell, Elliott, A. Fraser, R. D. Fraser, Sheriff Jarvis, Lewis, Macnab, McMartin, Solicitor General, Maçon, 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

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"have intrusted the petitions to a committee of persons favourable to the prayer of the petitioners, were Messieurs Buell, Campbell, Cook, Duncombe, Howard, Ketchum, McCall, MacKenzie, Perry, Roblin, Shaver and White. The Executive faction carried their measure by a majority of six."

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 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 honourable 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—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 material 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 byword 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, by the representatives they return, it might be reasonably inferred that the constituents of the McLeans, Van-Koughnets, Jarvises, Robinsons, Burwells, Willsons, Boultons, Macnabs, McMartins, Frasers, Chisholmes, Crookes, Elliotts, Browns, Joneses, Maçons, 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.

Consideration of question adjourned.

Ordered.