

ONTARIO LEGISLATURE.

Third Parliament—Third Session.

LEGISLATIVE ASSEMBLY,

Friday, Feb. 22.

The Speaker took the chair at three o'clock.

Prayers were offered by the Rev. Dr. Castle (Baptist).

MEDICAL ACT.

Mr. CLARKE (Norfolk) introduced a Bill to explain and amend the Ontario Medical Act.

PRIVILEGE.

Mr. MACDOUGALL (Simcoe) desired, before the orders of the day were entered upon, to call the attention of the House to a personal matter affecting himself. He found that a newspaper called the *Evening Times*, published in the city of Hamilton, copies of which had been sent to some of the members of the House, contained some correspondence from Toronto with respect to a suit laid before the Court of Chancery in which he was a party. That correspondence professed to give a fair account of that suit, its origin, progress, and the judgment of the Court upon it, and the correspondence was made the basis of a very slanderous and libellous editorial article in the same paper. Most persons, he believed, would so regard it, even if the statements upon which it was based were true. Of course every man who had occasion, either in defence of his rights or in order to secure his rights, to go into a court of law, thereby exposed himself to the censure and the comments of his neighbours and the world as to his conduct. In this particular case, he was not conscious of having done anything, in defending himself against the action brought against him by a gentleman with whom he had transactions in England, which he had not a perfect right to do as a matter of morals or of law. It was an entirely private matter; he was not in any public position at the time these transactions occurred; he was living in London, England, simply as a private person, and he had engaged in these transactions because he believed he had a perfect right to do so, and that the results would be advantageous to himself individually. The gravamen of the charge made in the paper referred to was contained in the following passage:—

Mr. Macdougall's final defence against the action brought against him by his agent for money paid out on his behalf was one of the most atrocious ever presented in a Canadian Court by any man professing to have any honour or any claim to the respect of the community. After his agent had paid out the money named for him; after Mr. Macdougall had acknowledged the amount against him to be really due; after he had given a mortgage properly framed and executed; and after the mortgage had been proceeded upon in an action against him in Chancery—Mr. Macdougall, seeing no other way of escape from the payment of a debt honestly due the man who had befriended him, entered the plea that the transaction between him and Mr. Grant was one of "wagering," that is, an immoral one, and could not be recognized by law.

That was probably the most severe part of the editorial, which, he thought, not merely reflected on his own personal honour, but was a stigma on the Legislature of which he was a member. He, therefore, thought it his duty, at the first opportunity, to rise in his place and state briefly the position which he occupied in the matter. In November, 1874, he was living in London, England. At that time there was a good deal of discussion with respect to the position and value of the shares of the Hudson Bay Company. As he had some years previously, in an official capacity, a good deal to do with the affairs of that Company, it became his duty to make himself acquainted with all matters connected with them, and many gentlemen occupying high positions in the money market frequently asked his opinion as to the ultimate effect upon that Company of the opening up of the North-west, the competition of the fur traders with them, and the settlement of their land. He had a pretty strong conviction, which had since been vindicated by the result, that the value of the Hudson Bay Company's property and shares would be reduced by the influences at work. When they asked his advice, therefore, he advised