

slightest degree, by word or inference, seek to vary the Act of 1885 in any respect, except in regard to the system of compensation. It does not seek to limit the powers of the Government to stamp out and destroy disease by the most severe measures when they deem it advisable to do so, but it simply provides for a just scheme of compensation, in case the Government see fit to exercise the powers vested in them by that Act. The section which my Bill seeks to repeal and for which it seeks to substitute another, purports, under certain conditions, to offer compensation to the owners of cattle slaughtered under the direction of the Government, but the rights of those owners are entirely in the hands of the Minister of Agriculture or his servants, and are dependent also upon many matters which should not affect them. Section 13 reads as follows:—"The Governor in Council may, when the owners of cattle are reported by the Minister of Agriculture, not guilty of any negligence or offence against the provisions of the preceding sections of the Act, order compensation"; and then it goes on to give the scale of compensation. It does not appear to me just that the owners of cattle so slaughtered should not have their right to compensation, if they have not been guilty of any offence in respect of the animals slaughtered; and therefore my Bill seeks to place those owners in that regard, in the position I have indicated. In so doing, I have simply followed the language of the Imperial Act on this question. In regard to the scale of compensation, I may say, if we look to the Imperial Act, and it is the custom in this House to look to Imperial Acts for precedents, we find that the Act 41-42 Victoria, chapter 74, being "The Contagious Diseases' Act," which has been in force in England for many years, deals with this question and provides a scheme of compensation. It is the custom in this House to deny legislation at times, unless an English precedent can be found, and I ask hon. gentlemen, therefore, to apply that principle to my Bill, and, if I can show precedents in the English Statutes for this Bill, I ask that it should receive the favorable consideration of the House. In the English Act, to which I have referred, it is provided that the Government may destroy cattle that are suffering from rinderpest, and in that case the owner is entitled to receive one-half of the value of the slaughtered beast before it was affected, provided that the total compensation does not exceed £20. In case the animal was affected with pleuro-pneumonia, the owner is entitled to three-fourths of its value before it was so affected, so that the compensation does not exceed £30. In all other cases where animals have been slaughtered under the Act I have cited, the owners are entitled to compensation to the extent of not more than £40 sterling for each head. Thus you will see that in England the amount of compensation is made to depend upon the nature of the disease which the animal has, whilst, under the Canadian Act which I am seeking to amend, the nature of the disease is not taken into consideration at all, and it is sufficient to justify the Government in slaughtering an animal if it has any kind of infectious or contagious disease, whether of a severe nature, a dangerous character, or otherwise. We all know that there are animal diseases which are both contagious and infectious, and are yet not dangerous. Still, if an animal so affected should be destroyed under the Act of 1885, the owner is only entitled to one-third of the value, not exceeding in the whole \$20. The Canadian Act further provides in its 13th section, for which I am seeking to substitute the sections which I propose, that, in all other cases—that means in every case where one of our domestic animals is slaughtered which is not at the time diseased, but which may be in a perfect state of health, but still is destroyed by the Government, purporting to so destroy it under the provisions of the Act in question—the total amount of compensation the owner can recover is two-thirds of the value of the animal, but not exceeding in all \$40. I sub-

mit that, whatever may be the position of an owner of an animal which is diseased when it is slaughtered, there can be no justification or excuse for the Government to destroy animals which are in a state of health without affording the fullest compensation to the owners of those animals. Perhaps it may be argued that \$40 is a full compensation for all possible damage that could occur under this Act. I submit that it is not. It is only necessary for me to point out some of the directions in which our agriculturists are moving now in order to show that \$40 is not a reasonable compensation to the owner of these animals. Throughout the whole of Ontario, and I hope in the other Provinces, a large number of farmers are devoting year by year more attention to the breeding of cattle. It has been recognised of late years that it is necessary to go more into the breeding of cattle, and we find farmers every year going more into the business of fattening cattle, apart from breeding thoroughbreds; and, if one could make a visit to the barnyards of the ordinary farmer of Ontario to-day—and I trust it is the same in other Provinces—I am sure thousands of animals would be found tied up that have been stall-fed through the winter, and that are now worth on an average \$70 or \$80 a head. It is nothing exceptional for an ordinary grade animal to weigh 1,500 lbs. or thereabouts, and we know that, even under the depreciated value of live stock to-day, such an animal would be worth from \$75 to \$80. The Minister of Agriculture could now, under the existing law, sweep away that property, and the total amount of compensation allowed to the owner would be at the outside \$40 a head for the mistake which might be made. There has been presented to the House in support of this Bill a petition from the Agricultural and Arts Association of Ontario, which, as far as I know, was the unanimous petition of the board. There has also been a petition from the Shorthorn Breeders Association of Ontario; and I will read to the House a letter I have received from a firm of shippers dealing with this matter:

"TORONTO, 16th March, 1886.

"DEAR SIR,—We take the liberty of writing you in regard to your Bill to amend the Animal Contagious Disease Act passed last Session, and beg to express our earnest wish that your Bill may become law, as the Bill of last Session is quite inadequate to cover anything like a reasonable compensation to those whose animals might be slaughtered under the said Act, as disease may get into any man's herd of cattle without it being any fault of his, therefore it would be really too bad that his stock would have to be slaughtered for the benefit of the public in general without fairly compensating him for the same. As a man may have all that he is worth invested in cattle and other stock, and by misfortune they may become diseased, and only getting one-third of the value, therefore it would simply mean ruin to him financially.

"Yours, etc.,

"THOMPSON, FLANAGAN, BLONG & AIKINS,  
"Live Stock Exporters and Cattle Feeders."

"P.S.—We are feeding at present 2,064 cattle in one place, and shipped last year over \$1,000,000 worth of stock to Great Britain.

"T., F., B. & A."

I submit that, if the figures mentioned in my Bill do not meet with the approval of the House, I will at all events be excused for having followed the English precedent in that regard. I intended to follow exactly the scale of compensation set forth in the English Act, leaving it to the House, when in committee, to alter the Bill; but, by some mistake, I find that, in subsection a, \$50 has been substituted for the Canadian equivalent for £20 sterling. With that exception, and the further exception that I have inserted a compensation clause for thoroughbreds, the scale of compensation is the same as in the Imperial Act. I do not expect, nor will I urge when in committee, if we get that far, the adoption of these figures, but will be quite satisfied to have a committee to consider what would be a reasonable compensation, and I am sure in that case we will have no difficulty in amending the section in the public interests.

Mr. ORTON. I am quite in sympathy with the member for North York (Mr. Mulock) in bringing this question