

5. If the proprietor of a swarm of bees declined to follow such swarm, and another person undertakes the pursuit, such other person shall be substituted in the rights of the proprietor, and every swarm which is not followed shall become the property of the proprietor of the land on which it settles without regard to the place from which it has come.

The above is the law of this province respecting the proprietorship of swarms and absconding swarms. It is so clear that it requires no comment by me.

The next law, in the order of its passing, which we are to consider, is entitled: "An Act For the Suppression of Foul Brood Among Bees." The provisions of this act are too many to be here quoted in full. Its principal provisions relate to the inspector and his work.

The inspector is appointed by the Ontario Bee-keepers' association, or its Board of Directors, who fix his remuneration—the latter, however, is subject to the approval of the Minister of Agriculture, through whose department he receives his pay. The principal clause of the act, relating to the inspector, reads as follows:

(Note.—Here I quote Section No. 3 in full.)

The law also directs that bee-keepers in whose apiaries foul brood exists, or who knows of foul brood existing in any other apiary, and fails to notify the President of the facts, may be prosecuted before a Justice of the Peace and fined. Upon receiving such notice, or otherwise becoming aware of the existence of foul brood in the yard of a bee keeper, the president must immediately direct the inspector to proceed to, and inspect the bees.

When, on inspection the disease is found to be present, and the bees destroyed or treated, the owner may not conceal the fact. Thereafter he is prohibited from selling or bartering bees or appliances until the inspector gives him permission to do so. Non-compliance with this provision subjects the offender to a fine of not less than \$20, or more than \$50.

This law has been in force about five years, and has, I believe, resulted in much good, inasmuch as it has kept in check, if it has not entirely eradicated the disease in Ontario. Its good results, however, are largely due to the fact that our inspector has combined the work of a doctor with the duties of an inspector, nevertheless, the law has in it some undesirable points, one of which is the supreme power of the inspector. Once ordered into the field, he is the arbiter of the bee-keepers fate. It is his prerogative to say whether the disease is mild or malignant, and to destroy or forbear to destroy. If fol-

lows then that none but a competent and discreet man should be appointed to an office where the incumbent is clothed with such unlimited power, an unscrupulous or vindictive man may do a great injustice in his capacity of inspector, and escape the consequences of his act. It is true the law gives the association power to make rules to govern his conduct, but as far as I know nothing has been done by that body to regulate his conduct while engaged in the work of inspection.

When the inspector pronounces the disease present and of a virulent type, and decides to destroy the bees and appliances, or either, and the proprietor challenges his judgement, an appeal should be to a competent disinterested third party, whose decision would be final. This referee should be appointed by the association, the *ipse dixit* of one man should not be deemed sufficient to warrant the destruction of another man's property.

Soon after the passing of the above laws, a statute was enacted prohibiting the spraying of fruit trees while in bloom, with arsenites or other poisonous substances. A similar law is in force in some places of the United States. I am not sure such a law is of much use to bee keepers. It only protects them from injury at the hands of ignorant fruit-growers. The spraying of fruit trees is coming into general practice and it has come to stay while the present pests of the fruit-growers abound. What with bulletins and newspaper articles no one need be ignorant of how and when to do it. As yet however it is little practiced except by intelligent fruit-growers—and intelligent fruit-growers have too much regard for their own interests to spray their trees with arsonites while in blossom. The self-interests of fruit-growers afford all the protection to bee-keepers they can hope to secure from spraying out of season. The last effort at legislation in the supposed interest of bee-keepers was undertaken about three years ago and pressed by a few persistent members of the O. B. A., under the sanction of a majority vote and at the cost of the Association. The discussion on the "sugar honey" question, that occupied such a prominent place in the bee journals at that time, was the inspiring cause of these gentlemen's zeal in promoting the passage of a law to prevent its manufacture and sale. To carry their views into effect the following bill was drawn up:

(Here I quote the bill).

The importance attached to the passage of this bill, on the part of its promoters, may be learned from their efforts to secure its enactment. Every year for the last three years, time and money have been