

serve the balance of a happy equilibrium, which is always the best condition under which men may be placed. Again, the origin of many of our industries may be traced to this speculative spirit amongst men. We may instance the export trade in live-stock, and the import trade in nursery stocks, so that the term speculator is perhaps quite as often synonymous with that of benefactor, as it is with that of oppressor. Indeed, every merchant is in a sense a speculator, the difference in his mode of operating being one of *time* more than anything else, the ordinary speculator taking a larger period to turn over his goods, and to convert his investment into cash.

But it is of speculators in live-stock that we wish more particularly to write. The use of the term in this connection is surrounded with a haze through which most men can see but a little way. Come on, thou sun of right, and drive the mists away to their native wastes. The term speculator as applied to certain phases of stock keeping, seems to be the only prominent word in the vocabulary of some of our agricultural editors. If men import good cattle, either to sell them or to keep them, they "speculate." If they mend their defective herd-books, it is for "speculative purposes." If they test their dairy cattle with the view of elevating the standard per cow all round, they are "speculating." And if they breed superior cattle and sell them at good prices, they are "speculating." With those men, the only keepers of stock to which the term may not be applied derisively, are those who persist in keeping runty scrubs.

Now, who are our speculators in stock? Answer, ye men who take up a blunt chopping axe under the strange delusion that ye are using a pen; come back to the old definition. A speculator is "one who buys in expectation of a rise in price." A man, who only raises live-stock in part for the market, and buys the balance, can only be a speculator in part. He who improves his stock by way of testing, is not a speculator, and he who labors to secure a proper herd-book standard is not. It must be one who *buys*. How many men have we in Canada who live solely by buying stock and selling them again? We know of *one* and *only one*, and men have been pleased to speak of him as our "veteran importer." It has been said of this man, we think truthfully, that he has brought "more good stock into the country than any other man." To what extent our country is indebted to this man we are curious to know? How many of the 60,000 beefers that now annually cross the Atlantic from Ontario are descended from bulls imported from this man's importations forms an interesting question. We are sure it is very large, and yet men who never turned their finger for the improvement of our stock *stigmatize* this man as a speculator. We say it fearlessly, the work that he has done shall endure, and endlessly expand, while toadstool effusions that are continually emanating from the immense vacuums in those editor's skulls where brain is usually found, are buried in the cesspools of a past remembrance. Two hundred thousand men who keep cattle in Ontario and but one of them a speculator, and he, as we have already shown, one of her greatest benefactors.

Let us now look at the export speculators of live-stock. They give from two to three cents per pound live weight more to the farmer than he got before their trade began. This in a standard shipping beast which weighs 1,400 lbs., amounts from \$28 to \$42—in favor of the farmer—not a bad kind of speculation for the latter. Apply this to the 60,000 head sent over annually to Britain, and using the lesser advance as a multiplier, we have as a gain \$1,680,000 annually—not a bad sort of speculation for Ontario. What but

for the business of these men would the live-stock interest have been in Canada to-day? The demand creates the supply in anything good or ill, providing a sufficient equivalent is paid. It is this demand, then, for improved cattle that has created the supply. When shippers are out on the trail after improved stock, they as instinctively shun the trail of a scrub bull as men do ordinarily the habitations of the skunk, knowing full well that his offspring would pollute their cargo to the extent of destroying the sale. Where, then, are the stockmen in Ontario who deserve the epithet of speculator in its derisive sense? We have searched it over and over, and have failed to find one amongst the keepers of improved stock. We have heard of men who go about to sales, and buy up all the scrubby trash which they may find cheap to sell it again at an advance. They, it may be, are deserving of the epithet in the detractive sense, but not the other.

If importers of improved stock are speculators, we are only sorry that their number is not vastly multiplied, for on this our country's hope depends in these days of unremunerative grain-growing. Every man of them should get a place among the "thirty" if not among the "three." If the men who test their dairy cows with a view to the demonstration of the possibilities of the breeds are speculators, instead of an excess of them, there is a dearth, as their efforts cannot but result in rivetting the attention of farmers and dairymen upon the importance of a higher milk average. If breeders of pure-bred stock who succeed so well in their business that they bring in buyers from foreign countries, who, though they fetch large sums of yellow gold take it not away again, are speculators, we might well ask for a shower of these. Viewing their work through the lens of utility, it stands both hand and shoulders above that even of the manufacturer. Legislators might give place to those men, and with a good grace.

Let us hear no more, then, about live stock speculators of our country, till we have some of them. Sometime we may take up the subject of "booms" and write on the term "craze."

Railway Responsibility.

At the last Wentworth assizes the case of Hurd vs. the G. T. R. was tried before Mr. Justice O'Connor, resulting in a verdict for the plaintiff; and as it is of interest to the farming community generally, we give a synopsis of the facts.

By mutual arrangement between the parties to the suit before trial, the damages were agreed upon at \$1,800, leaving the question to be decided by the jury, as to whether the railroad company was liable—in other words, had the employees exercised proper care to prevent the accident. It appeared from the evidence that Mr. H. H. Hurd, of this city, owns a farm on the Plains Road, about midway between Hamilton and Burlington, and is an extensive breeder of Clydesdale horses. The Toronto branch of the G. T. R. runs through this farm, and at about three-quarters of a mile east of the Waterdown station there is a level crossing without cattle-guards, used exclusively by Mr. Hurd. About 70 rods east of this crossing, on the adjoining farm is an open iron bridge 32 feet long, 14 feet wide and 15 feet high from the roadway: this is where the accident took place.

In the month of July last two of Mr. Hurd's men were removing a number of fillies from a field on the south side of the track to one on the north side. There were in all 16 well-bred Clydesdales, a number of which were imported. When they got on to the track they turned east instead of going straight over,

and while the men in charge were endeavoring to get them back, the morning freight train, which had been on the siding at Waterdown, came up, and finding them on the track, according to the evidence of Mr. Hurd's men and other eye-witnesses, came to a dead stop about half way between the level crossing and the bridge. The men succeeded in heading off the horses, and drove them back alongside of the track, until they were nearly abreast of the engine, when the driver whistled sharply and started up. This stampeded the horses; they again ran east, followed by the train, which again stopped close to the bridge, the horses in the meantime having attempted to cross, the result being that four of them fell over into the roadway below, three of which were killed, eleven were fast in the bridge, their legs being between the ties, and one only succeeded in crossing without being injured. The one that fell over without being killed and of the eleven which got fast in the bridge, five were badly injured, the others temporarily.

On the other hand, the train men stated in their evidence, that they only stopped once, that is, close to the bridge; and the driver stated that he was unable to stop sooner. But on cross-examination admitted that he was half a mile distant when he first saw the horses, and that he was only running about 3 or 4 miles an hour, and to use his own words, "thought he would take the chances." Having run for two or three years on this branch, he must have been familiar with the location of the bridge.

The learned judge, in charging the jury, drew attention to the fact, that while the plaintiff's horses had no right on the track, and were in fact trespassers (which was admitted by Mr. Hurd in his plea), that ordinary care should be exercised by the railway company's servants, and left it with the jury to decide this point. The jury were absent but a few minutes, and on their return rendered a verdict for the plaintiff for the amount previously agreed upon.

We look upon this decision as one of much importance. Farmers take it for granted too readily that in the matter of losses of this kind it is hopeless to fight railway companies; but Mr. Hurd's contention and success show that they are not omnipotent. The strong feature of the case is this—railway officials have no right to kill or injure *trespassing* animals at will; but on the other hand it is their duty to do all in their power to save them. Failing to do this, they are liable for damages.

Amongst Our Friends.

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