

# Liberal Whip's Bill Proves Controversial

## Strachan Asks Legislature to Cut Out Loss of Expectancy of Life as Ground for Damages

Legislation which would set aside the application in the Province of Ontario of the English law providing for assessment for damages for loss of expectancy of life in case of death was introduced to the Legislature yesterday by Ian Strachan, St. George, Chief Whip of the Liberal Party.

Before its fate is decided—and it will be sent immediately to the Legal Bills Committee of the House, Premier Hepburn said last night—it is likely to prove one of the chief bones of contention of the present session. Some indication as to its controversial set-up was evidenced yesterday the moment its sponsor had moved its introduction.

### Couldn't Support It.

"What?" said David A. Croll, former Labor-Welfare Minister. "My goodness, I hope that is not a Government bill. I couldn't possibly support it."

"I should hope not," added Hon. Leopold Macaulay, Conservative House Leader.

There is no indication as to who is behind the Strachan measure, and whether the Government is (so to speak) flying a kite on it, through the party Whip, remains to be seen. But it already has started the fur flying, and there was considerable corridor discussion of it—especially by barrister members—after the House rose yesterday.

The English law—arising in 1937 out of the House of Lords decision in the case of Roy v. Ford—established the right to assess for loss of expectancy of life. Since then, it is

understood, that decision has been applied in two Ontario cases. In British Columbia and Manitoba it is also said to be recognized as applicatory law. In England, damages received in some cases are considerable, ranging, it is reported from \$2,000 to \$5,000.

### Promotes Ambulance Chasing.

Assessments are said to be based chiefly upon the difference between the deceased person's age at time of death and 80 years. Mr. Strachan's bill, if passed, would abolish this system of assessing and would restore the old practice of assessing solely for out-of-pocket expenses.

"This amendment," he told the Legislature yesterday—and the amendment is to the Trustee Act—"is intended to overcome a decision of the House of Lords. It provides that no damages for loss of expectancy of life of a deceased person may be recovered for his estate."

Among the private members of the House considerable support for the measure was subsequently discovered. Several Cabinet Ministers are reported as also in favor of it. Its supporters claim that application of the English law in Ontario has tended to promote "ambulance chasing."

## Pasteurizing To Be Limited By Feasibility

In introducing the bill in the Legislature yesterday to provide for the compulsory pasteurization of milk, Hon. Harold Kirby, Minister of Health, emphasized that it was not the purpose of the bill to enforce pasteurization in all areas except when "practical and feasible"

The department, he explained, would have the right to designate certain areas of the Province where unpasteurized milk may not be sold. Gradually these areas will be extended, he said, until pasteurization is made compulsory throughout the entire Province.