

dollars as against the company and at fifteen dollars as against the employee. These penalties are fixed under authority given the Board to provide penalties for offences against the regulations in cases where not already provided for in the Act, but not to exceed one hundred dollars. These penalties seem small, but if rigorously enforced under a close system of inspection may be sufficient as a deterrent, which is the object desired.

Where the regulations of the Commission do not provide penalty, as, for instance, in case of failure of the company to clear its right of way of combustible material, section 427 of the Railway Act will probably apply. This provides for a penalty of not less than twenty dollars and not more than five thousand dollars for any contravention of, or failure to comply with, the provisions of the Act or regulations by the company or any person acting for or employed by the company, and is intended to cover any case not otherwise provided for in the Act.

The burning of ties or the clearing of the right of way by fire at a dangerous time are not covered by the Railway Act or the regulations, and apparently would not be covered by any penalty.

There is room for improvement of the Act in the matter of penalties, as well as of damages, to make the penalties sufficient as a deterrent and to make them cover all possible items of danger.