

Fires Arising from Clearing Right of Way.

After a railway has been constructed and is in operation there will still be danger if the right of way is not kept cleaned up, and the Railway Act of the Dominion provides (as do most of the provincial Railway Acts in almost similar terms) that:

'The company shall at all times maintain and keep its right of way free from dead or dry grass, weeds and other unnecessary combustible matter.'

This provision of the Act has, at least in the newer districts, been more honoured in the breach than in the observance, and yet it is one of the most critical and important measures in the prevention of forest fires in those newer districts. The Canadian Pacific Railway Company, in accordance with representations made by the Department of the Interior, are clearing up the right of way through British Columbia and the Rocky Mountains by contract, and are burning the debris at safe seasons. The failure of the Canadian Northern Railway to respond to similar representations was a contributing cause to the fires which did so much damage along the Prince Albert branch of that railway during the past spring.

The necessities of the case left no choice but an appeal to the Railway Commission to have the provision of the Act in this respect enforced. The question was brought to the attention of the Commission, and on the 15th August, 1910, an order was issued by the Board to the desired effect. After quoting the provisions of the Railway Act in regard to clearing the right of way of noxious weeds and combustible material, the order continues:

'Complaints continually come to the Board that these sections are not observed by some of the companies, casual observation in some parts of the country shows that Section 297 (in regard to the removal of combustible material) is being entirely overlooked. It is clear that many fires are communicated to adjacent lands by reason of companies not complying with these provisions of the law, entailing enormous loss. The Board deems it to be its duty to see that these sections are enforced, and to that end has given instructions that all railway lands shall be periodically inspected and full reports made of the conditions found to exist.

'This is a matter of vast moment in the preservation of timberlands as well as the protection of property of all kinds along railway lines, and steps will be taken to enforce the law unless voluntarily complied with.'

The immunity from fire of the forests along the lines of railway in Europe is partly due to their hauling lighter trains and using a better quality of coal, but it is largely due to the careful clearing and keeping clean of the right of way. In addition, however, the forest is kept clear of dead material, and on each side of the railway a path is kept cleared even of leaves and grass, and the surface is broken up so as to provide a fire-break for ground fires.

It will be necessary to clear the dead timber from lands outside the right of way in Canada if safety is to be assured, and when a permanent policy of forest reserves has been established the public interest will make it profitable to do so. Where the railway lines run through reserves, as in the Rocky Mountains Park, steps are being taken to carry out such work. With the vast stretches of forest land along railways in Canada and our uncertain forest policy it is futile to advocate the general adoption of such a plan.

There should be no confusion as to the position in regard to the railway right of way. The present right of way of usually one hundred feet is sufficient for forest purposes, if it is sufficient for railway purposes, and nothing better can be done than to bring the green timber up to the edge of the right of way, but the right of way and a considerable space on either side of the right of way should be thoroughly cleared of dead timber and combustible material.

The burning of old ties along the right of way in a dangerous season is a frequent source of trouble and should be covered by regulation so that the burning should not be done in a time of danger. Most of the railways are regulating this better now than