

modification might be made as to others; thus removing even the semblance of a basis for a charge of arbitrariness, without impairing the efficiency of the order, while, at the same time, doing away with the necessity for final consideration by the Supreme Court of the complaint by the railways respecting lack of jurisdiction on the part of the Board. The result was the issuance of General Order No. 107, as follows.

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA

General Order No. 107

Friday the 4th day of July, A.D. 1913

H. L. DRAYTON, K.C.

Chief Commissioner

D'ARCY SCOTT

Asst. Chief Commissioner

JAMES MILLS

Commissioner

A. S. GOODEVE

Commissioner

IN THE MATTER OF THE Order of the Board No. 16,570, dated May 22nd, 1912; and the application by the Canadian Pacific, the Grand Trunk, the Canadian Northern, and the Grand Trunk Pacific Railway Companies to amend said Order.

UPON the hearing of the application at the sittings of the Board, held in the city of Ottawa, July 3, 1913, the Railway Companies interested, the Commission of Conservation, and the Government of the Province of British Columbia being represented by Counsel at the hearing, and what was alleged; and upon the report and recommendation of the Chief Operating Officer and the Chief Fire Inspector of the Board—

IT IS ORDERED as follows:

1. Order No. 16,570, dated May 22, 1912, is hereby rescinded.

2. Until further order, every railway subject to the legislative authority of the Parliament of Canada under construction or being operated by steam, shall, unless exempted by a special order of the Board, cause every locomotive engine used on the said railway, or portion of railway, being constructed or operated by it, to be fitted and kept fitted with netting mesh as hereinafter set forth, namely:

(a) On every engine equipped with an extension smoke box, the mesh shall not be larger than $2\frac{1}{2} \times 2\frac{1}{2}$ per inch of No. 10 Birmingham wire gauge, and shall be placed in the smoke box so as to extend completely over the aperture through which the smoke ascends, the openings of the said mesh not to exceed a quarter of an inch and one-