

if that is in front, a person who shall warn persons standing on, or crossing, or about to cross, the track of such railway," on pain of a penalty. Though worded differently, this is substantially a re-enactment of 55 & 56 Vict. c. 27, s. 9.

Electric street railway cars always run in one direction only on each side of a double track. In *Balfour v. Toronto Ry. Co.*, 32 S.C.R. 239, a car was running in the wrong direction and a person injured recovered damages. The case is not in the Ontario Reports, and in the Supreme Court the law as to the liability of the company was not discussed. The report shews, however, that the jury found as one ground of negligence that the car was on the wrong side, and it would appear that the liability was established independently of any statute indicating that the above section is merely declaratory of the common law.

Sec. 230 provides for packing of frogs.

By s. 235 a company is obliged to notify the Board, immediately on itself receiving notice, of any accident on its railway attended with serious personal injury. Sec. 267 of the Act of 1888 is the same, except that it required notice to be given by the company within forty-eight hours, and by section 268 a commissioner could be appointed by order in council to inquire into the causes of and circumstances connected with any accident or casualty to life or property on any railway. This provision is re-enacted by the Act of 1903 (sec. 236), which also empowers the Board to order an enquiry into all matters likely to cause or prevent accidents.

5. *Injury to Animals.*—Most of the sections heretofore dealt with are intended for the protection of animals as well as of persons. There are, besides, specific provisions in regard to the former.

Sec. 198 provides that "every company shall make crossings for persons across whose lands the railway is carried, convenient and proper for the crossing of the railway for farm purposes." Sec. 191 of the Act of 1888 was in the same term, but the last Act adds this new provision: "In crossing with live stock the same shall be in charge of some competent person, who shall use all reasonable care and precaution to avoid accidents." This was not in the statute before.