

does it always follow that, when an offence against the law does become obvious, it is prosecuted.

An offence has been proved in this case, and it remains only for me to inflict the appropriate punishment.

I am informed upon affidavit that the cost to the company is:—

For claims paid or certain to be paid, about	\$11,000
For damages to company's own property.	4,700

And there are claims to an amount over \$50,000 which have not been adjusted.

Under these circumstances I reduce the fine which otherwise I should impose—although I shall not impose a merely nominal fine.

The sentence of the Court is that the Michigan Central Railroad Company do pay as and for a fine for the indictable offence of which they have admitted their guilt and for the use of Our Sovereign Lord the King, the sum of \$25,000, upon the second count. If this sum be paid to the sheriff of Essex within 30 days from this date, the Attorney-General will be instructed to direct that no further proceedings be taken. If not, I shall deliver judgment upon the first count at the opening of the next Sandwich Assizes, to which time this Court will stand adjourned after the delivery of this judgment.

I should add that if it were the fact that the board of directors or the general manager of the defendants' company, or any one responsible directly or indirectly for the system carried on in the transportation of explosives, resided within the jurisdiction of this Court, I should have recommended their being indicted as well as the company. It is right and just that employees of whatever grade shall be placed upon trial when any negligence of theirs caused wounds or death, and the higher officers through whom a defective system is put or kept in operation should not escape. And I am not of those who frown down the stern and rigorous application of the criminal law. There is many a man who would laugh at a fine who would dread the obloquy of the prisoner's dock and shrink before the door of the