

EXPLANATORY NOTES.

1. Under the provisions of section 310 (1) of the Railway Act an engine with its tender heading a train or running alone when moving backwards with the tender in front of the engine over a level crossing not adequately protected is required to have a man on the tender to warn persons at the crossing. The subsection to be repealed reads as follows:

“**310.** (1) Whenever in any city, town or village, any train not headed by an engine is passing over or along a highway at rail level which is not adequately protected by gates or otherwise, the company shall station on that part of the train, which is then foremost, a person who shall warn persons standing on, or crossing, or about to cross the track of such railway.”

The purpose of the amendment is to relieve Railway companies from the requirement of having a man stationed on the tender to warn persons when the engine and tender are moving reversely over level crossings.

2. Section 421 (1) (*g*) is the corresponding penalty section which requires amendment in accordance with the proposed change in section 310 of the said Act.