

files, 20 feet to one inch vertical, and are to be all signed by the chief engineer or president of the railway.

(i) Within 48 hours at furthest, after any accident has occurred on a railway line, involving personal injury, or the damage or destruction of any structure, the railway company must notify the Minister of the same under \$200 per day penalty. And, if necessary, the Privy Council may appoint a commissioner to enquire into the causes, etc., of the same.

(j) Annual returns from 1st July to 1st July must be forwarded in duplicate to the Minister within three months after the expiration of such financial year by each railway company, of its capital, traffic, working expenditure, and any other information shown on the blank forms furnished.

(k) Weekly returns of traffic shall also be furnished the Government within one month after the period quoted, and a copy of the same must be posted for public view in the head office of the company.

(l) Twice a year accidents and casualties must be similarly reported within one month after each six months' period has elapsed, giving, (1) Causes and natures, (2) locality and time of day, (3) extent and particulars.

#### IV. GENERAL DUTIES OF A RAILWAY COMPANY TO THE PEOPLE AND THE RIGHTS OF INDIVIDUALS.

(a) A company may not obstruct the entrance to a mine, open or about to be opened.

(b) A company shall not impede navigation in a navigable river.

(c) In constructing drawbridges, bridge-piers or wharves, the manner of construction as it affects navigable waters shall be fully and entirely decided upon and directed by the Railway Committee, under heavy penalties for disobedience.

(d) Highway crossings.

I. A railway shall not be carried along a highway, but shall merely cross it, unless permission has been obtained from the Railway Committee, and, in crossing a highway, a good safe passage for vehicles must be kept open continually and no obstruction offered to travel.

II. In a level crossing, the surface of the rail must not be more than one inch above or below the general surface of the crossing.

III. When a highway passes under a railway, it must have at least 20 feet clear width and 12 feet clear height, and the gradient of the highway shall not exceed one in twenty, unless originally greater and left undisturbed.

IV. When a highway passes over a railway, the approaches shall not have a gradient of more than one in twenty, and must be fenced at least four feet high, and the bridges by which these highways are carried over the railway shall have a clear height of seven feet above the highest freight car hauled over the road, and over 14 feet clear width shall be given on approaches and bridges.

V. The company shall present to the Railway Committee (which notifies the municipality interested that they may oppose by a delegation) a plan and profile of every proposed highway crossing, and the committee will then decide whether it is to be changed in any way, or if a level crossing is approved of, whether a gate and watchmen are necessary to public safety, and the decision of the committee regarding details of construction, and also as to apportionment of costs between the company and other parties interested, is to be final, and followed out within a prescribed time under penalty.

VI. Sign-boards with letters six inches high shall be placed at every highway level crossing.

(e) Farm crossings.

One, at least, shall be made for every separate portion of land and for each disconnected portion thereof, so located as to be difficult of access otherwise than by means of a crossing of the railway.

(f) Bridges and tunnels.

Shall be built, maintained (and raised if necessary, whenever repaired or reconstructed), so as to maintain a clear height of seven feet between the top of the highest freight car used and lowest beam or obstruction of the bridge or tunnel.

N. B.—The Governor-in-Council may except from this clause any railway on which air brakes are used exclusively. No company shall run cars over any bridge unless constructed and maintained with safeguards, and of strength approved of by the Minister.

(g) Fences and cattle-guards.

Whenever municipalities are surveyed or settlement exists, fences and cattle-guards shall be built and maintained, and in case of adjacent land being occupied, this must be done as fast as rails are laid, and the company shall provide gates having proper fastenings or hurdles at all farm crossings. When this is done, it is the duty of the landowner to keep the gates closed when not in use. If left open accidentally, no action for damages against the company can be sustained, and if left open purposely, a counter-claim for damage may be entered in addition to inability of recovering for loss of animals, etc., resulting from such leaving open of gates, etc. (Fences must be turned in to the cattle-guards).

(h) Opening of the railway for traffic.

No company shall open its road for passenger traffic until one month after giving notice in writing to the Minister, and after an inspecting engineer sent by the Government shall have reported favorably as to the safety of the road, strength of structures, and adequacy of rolling stock.

(i) Repairs.

Upon complaint of the officers of any municipality, the Government shall send an inspecting engineer to examine the condition of the road, and the company shall at once make such repairs as he considers necessary for public safety. Until such repairs are made the engineer may limit the number, speed or weight of trains and engines passing the point under repair.

(j) No discrimination in tolls between different persons or companies for the same service shall be allowed; any special rate allowed to one must be allowed to all.

(k) No secret special rebate or toll shall be allowed, and any company shall on demand make known to any one any special rate, toll or rebate.

(l) No discrimination between places shall be allowed, unless a lesser rate is necessary to secure freight at a competing point. (This, therefore, protects local points only against one another, and not against railway centres.)

(m) Every company shall afford full and equal advantages to all persons wishing to ship or travel over their railway, and shall afford equal facilities to each and every connecting line or lines of railway for transfer of traffic.

(n) Every company affording facilities to any express company shall grant the same to any other express company demanding it.

(o) Every agent of the company shall receive freight or any allowable traffic when offered for shipment, under penalty.

(p) Every train before crossing a draw or swing bridge shall stop at least one minute to ascertain from the bridge tender that the bridge is closed and safe to cross.

(q) At least 80 rods before crossing every highway (on level) a bell must be rung or whistle sounded, and this