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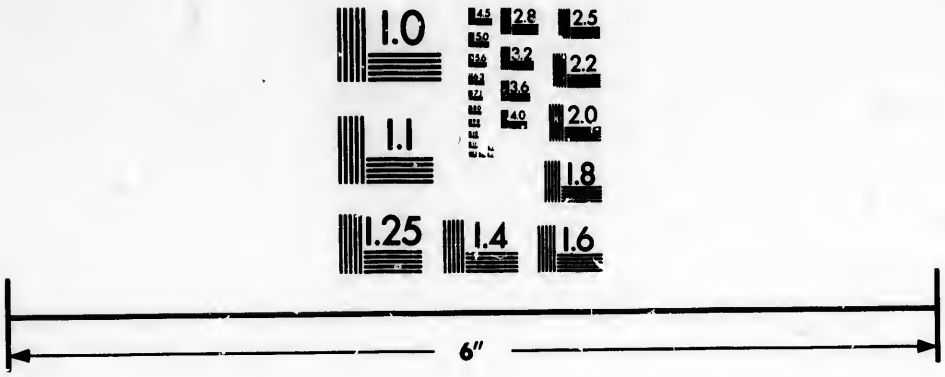

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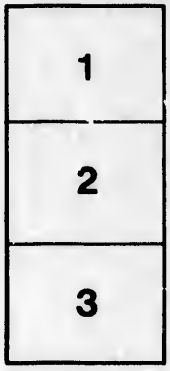
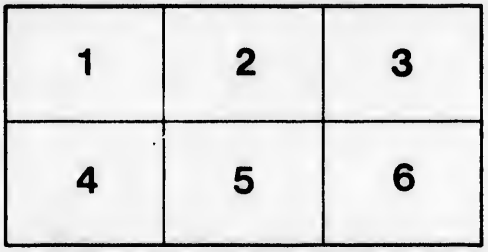




European & North American RAILWAY.

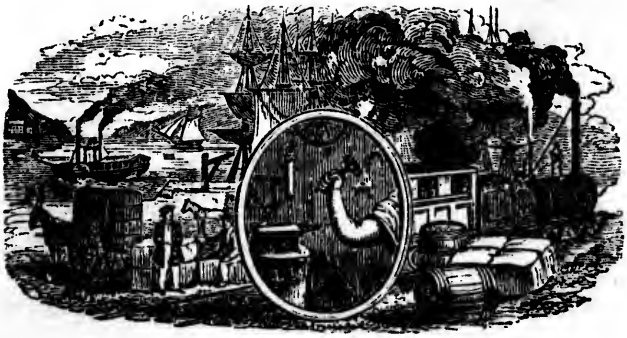
REGULATIONS

MADE BY THE COMMISSIONERS

UNDER AUTHORITY

OF

ACT 19 VIC., CAP 15., SEC. 10.



SAINT JOHN, N. B.

PRINTED BY CHUBB AND COMPANY.

1858.

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European and North American RAILWAY.

Regulations made by the Commissioners under authority of Act 19th Vic., Cap. 15, Sec. 10.

SECTION FIRST.

General Regulations.

1. Each person employed in the Railway service is to devote himself exclusively to that service, attending during the prescribed hours of the day or night, and residing wherever he may be required by those in authority over him.

2. He must **obey promptly** all instructions he may receive from persons placed in authority over him, and conform to all the regulations of the Commissioners.

3. He will be liable to immediate dismissal for disobedience of orders, negligence, incompetency, using improper language, intoxication, or incivility to passengers.

4. Unless appointed so to do, he is not on any occasion, or under any pretence whatever, to receive money from any person on the Commissioners' account.

5. No person is allowed under any circumstances to absent himself from duty without the permission of the head of the department in which he may be employed, except in case of illness, and then notice is to be immediately sent to his superior Officer.

6. No person is to quit the Railway service without giving fourteen days previous notice to the Superintendent, and in case he leave without such notice, all pay then due will be forfeited.

7. The Commissioners reserve the right to deduct from the pay of each person employed in the service, such sums as may be awarded against him for neglect of duty as fines.

8. Any person in any way leaving the Railway service must deliver up to his immediate superior all property entrusted to his care.

9. If any such property shall have been improperly used or damaged, a deduction from the pay due shall be made, sufficient to make good the damage, or to supply new articles.

10. Any person employed in the Railway service are strictly forbidden from entering into **altercation** with any other person, whatever provocation may have been given; they will make a note of the facts if necessary, and report to their immediate superior.

11. All persons in places of trust in the Railway service, must report any misconduct or negligence affecting the interests or safety of the road which may come within their knowledge, and their withholding

any such information will be considered a proof of neglect and indifference on their part.

12. All employés of the Railway are expected and required in all cases to exercise the **greatest care and watchfulness** to prevent injury or damage to persons or property, and in doubtful cases to take the safe side.

13. Each person will be held legally liable for injury occasioned to persons or property by his negligence.

14. The pay of every man **absent** or **suspended** from duty will be stopped. No persons are allowed to receive gratuities.

15. In all cases where **instructions** may **not** be **understood,** or where the course to be pursued admits of any doubt, the parties in charge shall so act as in no way to compromise the safety of the road, seeking afterwards, with the first opportunity, the necessary explanations of the proper Officers.

16. The Chronometer in the Commissioners' Office in Saint John, is the **standard** of time for the whole road.

Station Masters, Conductors, and Track Masters, will be held responsible for always keeping their time pieces to the true time, which should regularly be ascertained by Telegraph.

17. Each Officer shall make himself thoroughly acquainted with all time tables and special rules which may be made from time to time, and shall keep a copy of the same on his person when on duty, as

well as a copy of these Regulations, under a penalty of ten shillings for each neglect.

18. Each Conductor, Baggage Master, Engineer, and Brakeman, while on duty shall wear upon his hat or cap a badge which shall indicate his Office.

19. Each Officer or Employé of the Railway is prohibited from smoking while on duty in the Cars, Stations, or Depots.

20. Employés disapproving of these Regulations or not disposed to aid in carrying them out, are requested not to remain in the Railway employment.

SECTION SECOND.

Signals.

21. **RED** is a signal of **Danger—Stop.**
GREEN—Caution. Proceed slowly
White—**All right. Go on.**

These Signals will be made by **Flags** in the day-time, and by **Lamps** at night.

In addition to this, **any** Signal **waved** violently, or a man standing with both arms raised above his head, denotes danger, and the necessity of stopping immediately.

22. The red flag is the flag of danger whenever displayed. At road crossings, when displayed across the common road, it signifies that the train is coming; and travellers must look out. But whenever a **red**

flag or **red** light is displayed **on** the track, it signifies danger to the train, **and the train must stop,** and ascertain the cause of the danger.

23. Engines with passenger trains must carry one **white** light in front after sunset.

24. Every train or empty engine moving on the line after sunset shall display one or more **red** tail lights.

25. The Conductor of the train is responsible for attaching the tail lamp on the last car, and the engine driver and fireman for placing the lamp on the engine or tender. When a car is detached care must be taken to see that the tail light is removed and reattached to the train.

26. The tail signal must be inspected at every station; and in the event of the train being brought to a stand on the main line, from any cause, the Conductor must take care that no one stands before the tail lamp so as to prevent its being seen.

27. A red flag by day, or an extra red light by night, hung at the back of the train, or in front of an engine, denotes that an **extra train** is to follow.

28. TWO sounds of the whistle is the signal to apply the brakes.

ONE sound of the whistle to let go the brakes.

THREE sounds of the whistle is the signal for backing the train.

FOUR sounds of the whistle is a signal of recall to Flagmen.

29. The bell is always to be sounded when ap-

proaching a level crossing or station.

30. The whistle is to be sounded, (being careful to avoid frightening horses), with a continuous sound 120 rods before reaching any station or level crossing of a public road.

31. The bell must be rung from 80 rods before reaching any level crossing of a public road until the crossing be passed.

32. Frequent use of the bell must always be made in foggy weather.

33. No one must be allowed to judge of a **danger** or **caution** signal, EXCEPT THE ONE BY WHOM IT IS GIVEN.

34. Signal cords shall be used on all trains, and shall extend from the rear car to the whistle or alarm bell on the engine.

SECTION THIRD.

Running of Trains.

35. Trains shall be classed as—

1st.—Regular Passenger Trains;
2d.—Special Trains;
3d.—Freight Trains;
4th.—Ballast Trains;

36. All trains of an INFERIOR class must **keep out of the way** of all trains of a SUPERIOR class going in either direction.

37. All regular passenger trains will leave Termini at the specified time, and trains due must keep clear.

38. If any part of a train is detached when in motion, care must be taken not to stop the train in front, before the detached part has stopped, and the Conductor of such a detached part must apply his brake in time to prevent a collision with the cars in front, in the event of their stopping.

39. No special train or engine shall be despatched from any station without the direct authority of the Superintendent.

40. No train must leave a station when another train is due until such train arrives, or positive instructions, in writing or by telegraph, are received from the Superintendent or Conductor that the expected train will not come. Whenever telegraph despatches are used for the movement of trains, they must in all cases be repeated back from the receiving office to the sending office, and acknowledged before the Conductor starts his train, and then proceed with care. All such orders must also be read by the engine driver before starting.

41. Regular passenger trains will not wait for freight trains. Freight trains must be on a turn out TEN MINUTES at least before the regular time of passenger trains. Freight trains must also wait for extra and special trains, of which notice is given by signals, giving the extra or special trains the right to the road.

42. If any train breaks down or is delayed on the road, the first duty of all persons connected with the train is to see that every precaution is used to prevent any other train from running into the delayed train. ONE, and in cases of danger, two efficient men must be sent backwards or forwards as the case may require, with red flags or lanterns, at least half a mile to stop any approaching train. No wish to have the signalmen go on in the delayed train must prevent their going back at least half a mile, and stopping until the approaching train is stopped; and if a third or fourth train is following the same precaution must be observed. THIS RULE IS OF THE UTMOST IMPORTANCE.

43. No engine or train must leave or pass a station within ten minutes of another going in the same direction.

44. Whenever it becomes necessary to back a train to a station, it must be done with great care, keeping at least two men with red flags or red lights, constantly in advance of the rear end of the train, to warn any train that may be approaching. Neither the Conductor nor Engine driver has a right to assume that there are no trains approaching.

45. Gravel and Wood trains must be on a turn out THIRTY minutes before a train is due, and wait till all trains due have arrived.

46. No extra or uncertain train will leave any station unless it has time to arrive at the next station at least ten minutes before the time fixed in any time

table for the arrival of any regular train.

47. In the meeting of trains at the stations each train must take the right hand track, excepting uncertain trains, which must take the turn out, and must remain until the expected train arrives.

48. If any uncertainty arise as to the entire safety of proceeding with the train, a signal must be sent backward or forward, as the case may be, and be kept at least half a mile distant from the train until the danger is over.

49. Trains following each other must keep two miles apart.

50. An extra train following a regular train, will approach all stations and wooding places with great care, expecting to find the preceding train taking wood or water at such station, whether it may be a stopping place for that train or not. The responsibility of a collision will rest upon the Conductor and Engineer of the extra train.

51. Gravel and Wood trains shall DAILY, before leaving their stations for the day's work, report to the Superintendent, and also leave with the Station Master a memorandum of where the train will be operating for the day, and such memorandum shall be entered by the Station Master in a book to be kept for that purpose. This book shall be open to the inspection of all persons on duty, connected with the trains.

52. Red Flags or red Lanterns must always be placed at a safe distance on either side of the ground where gravel trains are at work, and a man must re-

main with them. The same precautions must be used when single Cars are at work on the road, when repairs of bridges are going on, or any description of repairs which interfere with the safety of the Track.

53. Torpedoes must be carried upon every Train, to be used as follows: should the Train be detained from any cause during the night, or by fogs or storms of snow or rain during the day, in such a position as to endanger a following or approaching Train, in addition to all other precautions, TWO TORPEDOES must be placed upon the rails at a sufficient distance to prevent all risk of accident, and all Trains **must stop** as soon as possible after the explosion of a Torpedo, without waiting for other Signals.

54. Whenever it shall be necessary to send an extra Engine over the road, it shall, in all cases, precede, and run on the time of some regular Train, and shall be entitled to all rights thereof, and shall carry the proper Red Signals therefor.

55. The rear Car of every Train must be a **Brake Car,** and a man must, when the Train is in motion, be always stationed on that Car.

56. Whenever any Train is twenty-four hours or more behind its own time, it thereby loses all right to the road.

57. When Trains are to **pass each other** the Train having the right to the road shall occupy the main Track.

58. No **verbal message** touching the safety of Trains, Track, or Bridges **must be sent** or **received,** except in cases of pressing necessity. Such messages should be sent in writing to prevent misconstruction.

59. In forming a passenger Train, Baggage, Freight, or Lumber Cars **shall not** be placed in rear of the Passenger Cars.

60. Engines and Cars must in no case be left upon the main track. They must be placed as quickly as possible **in a siding,** clear of the main line, WITH THE WHEELS SCOTCHED. At night the first car must be chained and locked.

SECTION FOURTH.

Station Master.

61. He is **responsible for the proper** use and **care** of all **the buildings and property** of the Railway, and is answerable for the faithful and efficient discharge of the duties of all persons employed at his Station.

62. He must see that all **orders** are **duly executed,** and that all Books and Returns are regularly written up and neatly kept.

63. He must see that all servants at the Station behave respectfully and civilly to passengers of every class.

64. He must inspect **daily** all rooms and places

in connection with the Station, and see that they are kept neat and clean.

65. He must see that all stores supplied for the Station are prudently and economically used and that there is **no waste** of Oil, Fuel, or Stationery.

66. He is not to be **absent without leave** from the Superintendent, except from illness, in which case, he must immediately inform the Superintendent and take care that some competent person is entrusted with his duties.

67. He is required to see that **every article** loaded in the Cars, is entered on the freight forwarded Book and on the Way Bills, and also that every article so entered on the Way Bills is actually loaded in the Car designated thereon.

68. He is held **personally responsible** for the safe keeping and proper delivery of all **goods** received by him, and for **all charges** due thereon; and all articles mentioned upon the way bills will be considered as having been received by the Agent at the destined Station, and in good order, unless otherwise stated by him on the face of the Way Bill.

69. He will **report** immediately to the Superintendent whenever any train leaves his Station **before** the **time** prescribed in the time tables.

70. He will have charge of the Switchmen at the Station. He will be held strictly responsible for the position of all **Switches** at the Station, and must always assume that **at any moment** a

train may be expected. **Switches** must always be on the **main Track,** excepting when immediately being used.

71. He will make separate **Way Bills** of the contents of **each Car,** and also of Freight destined to different Stations. Every loaded Freight Car must be accompanied by a Way Bill showing its freight and destination.

72. He is to report, WITHOUT DELAY, neglect of duty on the part of any one under his charge; and in case of complaint against any man, he is to communicate the particulars as soon as possible, so the offender may be sent to Head Quarters if the case require it.

73. He will be responsible for all money received at his Station, and will be required to make good any deficiency. He must make up and balance his accounts daily.

74. He must take care that no parcels or packages whatever are transmitted by the railway WITHOUT BEING DULY ENTERED and the carriage paid or charged.

75. He must not supply or lend, under any pretence or circumstances, stores or any other articles belonging to the Railway.

76. The Station Master or Station Clerk is to direct the Conductor of each Train when to start, and must use every exertion to ensure punctuality in the Train.

77. In case of accident to any Train on the road,

he will, on receiving information thereof, act according to circumstances in such a way as to give the earliest assistance, and prevent as much as possible any subsequent detention.

78. After the passage of Trains, he will see that everything about the Station is safe from fire.

79. In case of any injury to the Track coming to his knowledge, he will immediately despatch some person to notify the track repairers, and see that it is repaired; and in case the track repairers are not at hand employ others to do it, and take measures, if necessary, to warn coming Trains.

SECTION FIFTH.

Conductor.

80. He will have **entire charge** and control **of the Train,** and all persons employed on it, and is responsible for its movements while on the road, except when his directions conflict with these **Regulations,** or involve any risk or hazard, in either of which cases, all participating will be held accountable. He will, with the approval of the Superintendent, appoint his own Brakemen, but no Brakeman shall be retained who, in the opinion of the Engine driver, does not properly perform his duties.

81. He must **see** that the **Regulations** are **observed** by those under him, and report, daily, all violations of them.

82. He must be in attendance at least half an hour before starting his **Train** from any terminal Station, and see that his Cars are **clean**, and in **good** and **safe** order, particularly examining the **Wheels, Axles, Brakes,** and **Springs,** and while on the road that the routine duties of those employed on the Trains, and which are not detailed in these Regulations, are faithfully attended to.

83. He must **see** that he has upon the Train **Signal Flags, Red Lanterns,** a sufficient number of ordinary Lanterns, spare Shackles and Pins, Oil, &c. He must see that he has a Signal Cord properly connected, and that he is provided with the customary Papers, Despatch Bags and Boxes.

84. He will duly call the attention of the repairer of Cars, or of the Station Agent, in his absence, to any damage which may have been done to the Cars, or to any which may come to his knowledge, that it may be promptly corrected, and he must notice these in his Reports.

85. It is his duty to **check the engine drivers** when they run unsafely, and to prescribe to them, when he sees fit, the regular rates allowed on the Table, or slower rates if the Track is in bad order.

86. He must not permit the sale of books, papers, or refreshments in the Cars without permission from the Commissioners.

87. He must not allow any person to ride on the platforms, or outside of the Cars, or in the baggage Car.

88. He must prevent **passengers endangering themselves** by imprudent exposure. In the event of any **passenger** being **drunk** or **disorderly,** to the annoyance of others, he must use all gentle means to stop the nuisance, failing which, he must exercise his authority and keep him in a separate place until he arrive at the next Station, where the passenger must be left.

89. He must never make the **signal** for **starting,** while passengers are getting aboard, and should, in making it, stand near the front end of the front passenger Car. He should then pass to the platform of the **last** Car to see if any signals are made.

90. The Conductor of a Freight Train has leisure on the road to examine the Wheels, Brakes, and Journals of his Cars, and can have no excuse for allowing the Journals to be neglected and to become heated on the road. It will, therefore, always be presumed that the Conductor is inattentive in regard to his subordinates, if the Journals are neglected.

91. Conductors of Freight Trains must take no loaded Cars without the proper **Way Bills,** nor **Way Bills** without the proper Cars.

92. It is the duty of the Conductor to require of the engine driver **attention to the Rules of the Road.** Negligence or recklessness on the part of the Engineer will be taken as a proof of the inefficiency of the Conductor, unless such conduct has been duly and distinctly reported on every occasion of its taking place. He will at the same time treat

the Engineer with that consideration due to his very responsible duties, and will always advise with him in cases of difficulty.

93. In case of ACCIDENT TO A TRAIN, OR OF STOPPAGE ON THE MAIN TRACK, from any cause, he must immediately and always station men with Red Flags or Red Lanterns, and Torpedoes in addition if it be foggy, on each side of the Track, at least half a mile from where the stoppage occurs, and he must do this, as a matter of course, at all times and places, and he has no right to assume that there are no Trains approaching on either side of him. He will also, when assistance is wanted, or when the safety or convenience of the road requires it, send messengers to the Station Master on either side of him. Such Masters must either personally notify all approaching Trains, or place a man with the proper signal for that purpose. If the accident happen to a passenger Train which has the right of the road, the Conductor must immediately forward a written message by a trusty person, or by telegraph when it is available, to any other passenger Train which will be in waiting; AND EVERY EMPLOYEE ON THE ROAD MUST ASSIST HIM IN FORWARDING THE SAID MESSAGE. He will also when he is likely to be delayed long, communicate with the Superintendent, who will instruct him what course to pursue. He may command the services of any Freight, Wood, or Gravel Train or Hand Car on the road, either to forward his

own passengers, or to carry a message; provided that he give no orders which shall interfere with the rights of other Trains that may be on the road, without taking measures first to notify these Trains, or to ensure their safety. He will take the best measures within his reach to have his Train forwarded with the least possible delay, and every person in the neighbourhood, in the employ of the Railway, is required to assist him. When the Train is ready to proceed anew, the whistle signal shall be used to call in the men stationed out.

94. Great importance is attached to the prompt delivery of Letters, Way Bills, and Despatches consigned to the care of a Conductor.

95. He will see that the **doors** of **Freight Cars,** loaded with articles liable to be injured or stolen, are always **closed** and **locked,** and the doors of empty Cars **closed,** and keep the **Brakemen** at their posts. Whenever delay occurs at a Station from **freight** being improperly stowed, he shall report the circumstances the same day to the Superintendent.

96. He will be held **responsible for the safety** of **Live Stock,** and will not allow them to be transported in close Cars in warm weather. When there are any **Horses** on a Train, unless the owner has sent a person in charge of them, he will see that they are carefully watered and moderately fed on the road, and such expense shall be paid him by the Station Master at the end of his stage.

97. It will be his duty to make himself acquainted, as far as is practicable, with the **condition** of the **Goods** conveyed in the Trains; and when they are so stowed as to be liable to damage, to change the stowage, or leave them at one of the Stations, if necessary, to be forwarded more safely at another opportunity; also, at the end of his trip, to see that no pilfering of the contents of the Cars has been committed.

98. Conductors will be held **personally responsible** for the proper care of all goods or property entrusted to them, while in their charge, and will be careful to see that the same are delivered to the Station Masters according to the Way Bills.

99. It is his duty to attend to the removal of **empty Cars** from sidings where they are not wanted, to the Stations where they are wanted.

100. If, from any cause it BECOMES NECESSARY TO LEAVE A CAR, or freight in any shape where it does not belong, he shall note the facts on the back of the Way Bill, and give notice in writing to the Station Master where left, and to the Superintendent. He shall take all proper means to have the same forwarded to its destination without delay. In no case shall it remain over twenty-four hours, even if the Conductor of another Train be obliged to leave the same quantity from his Train to take it; but perishable property must not be so left.

101. No Conductor, Brakeman, or other person, except the regular Switchmen at Stations, shall be

permitted to unlock any Switch thereat. At turn-outs, where there are no Switchmen, the Conductor or Engineer shall be the only persons authorized to unlock the Switch, and the Conductor is **responsible** that all **Switches** are **left** in their proper positions after he has passed or used them.

102. Conductors will consider themselves to be, and act as Brakemen when necessary.

SECTION SIXTH.

Enginemen.

103. The Engineman of every Train must be in attendance half an hour before the appointed time for starting the Train; and must see that his Engine is in proper working order, sufficiently supplied with fuel, water and properly oiled.

104. Every Engineman shall have with him at all times in his tender the following tools:—

A complete set of Lamps;
A complete set of screw keys;
Two Jack-screws and Levers;
One large and small Monkey-wrench;
Three cold Chisels; 2 Hammers;
One Crow Bar; 5 short Chains with Hooks;
A quantity of Flax and Twine;
Four large and small Oil Cans;
Plugs for Tubes and Irons;
Two Fire Buckets;
Tackle and Fall;

Red Flag and Detonating Signals;
For which he will be **responsible.**

105. He must not **start his Train** till directed by the Conductor, nor till the Bell be rung. He must answer the signal for **starting** by a short **whistle,** must invariably start with care, and see that he has the whole of his Train before he gets beyond the limits of the Station; and he must run the Train as nearly to time as possible, arriving at the Stations neither too soon nor too late.

106. He shall allow no person to ride on his Engine or Tender; excepting the Commissioners, Superintendent, Engineer, Conductor or Track Master.

107. He is to stand by the hand-gear, and keep a good look out all the time that the Engine is in motion. The Fireman also is to keep a good look out when not engaged in other duties.

108. He must cause the Bell to be rung, or the Whistle sounded, where directed, at least eigthy rods before arriving at any **public road crossing,** and to be continued until he pass it, and the neglect of this precaution will be followed with immediate dismissal.

109. He must sound the Whistle with a continued sound, at half a mile from every Station.

110. He must pass by Stations where his Train does not stop, at a much reduced rate of speed, and haul up where Trains are receiving or discharging passengers.

111. When **attached to a Train,** he will be subject to the order of the Conductor, who has exclusive charge of the Train, and who will direct him when to start, and when to stop.

112. When **at a Station,** and not attached to a Train, he will be subject to the orders of the Station Master.

113. He will be accountable for running off a Switch at any **Station where his Train stops;** but he will not be held responsible for running off at a Switch at a Station where his Train does not stop.

114. In **running behind another Train,** he must so run as to allow the Train in front of him to be at least two miles ahead when coming to Stations, and, in approaching a Station, or in running round or entering a curve, particular caution must be used to avoid the possibility of running into the leading Train. NO EXCUSE WILL JUSTIFY THE SLIGHTEST NEGLECT OF THIS RULE.

115. He must keep a good **look out** as he moves forward **for any Signals,** or for any indication of danger, all which he is **responsible for seeing** and immediately attending to; and he must obey any **signal** made by a repair man, or other person employed on the road, even if he should see reason to think such Signal unnecessary. The lives of the Passengers are entrusted to his care, and it is fully ex-

pected that he will not only attend to every signal, and to all his instructions, but also that he will **on all occasions,** be **vigilant** and **cautious** himself, not trusting alone to Signals and Rules for safety.

116. He must always run on the supposition that at any Station he may find a Train out of place, and he must have his **Train well in hand** in approaching a Switch or Station.

117. Although the Conductor has charge of the Train, the Engineman will **not** be considered blameless, if he run any unnecessary **risk** on the road without all the precautions being observed which are necessary to perfect safety; nor will he be relieved from blame if he proceed in violation of the Instructions or Orders, even should the Conductor, from negligence or misapprehension, direct him to do so.

118. He shall **not proceed** after **dark** without the **proper lights** on the front of his Engine. If the proper Lanterns are out of order, he shall place in front of his Engine common white Lanterns, which the Conductor will furnish to him on application.

119. He is NEVER TO LEAVE HIS ENGINE IN STEAM without shutting the Regulator, throwing the Engine out of gear, and putting on the Tender Brakes.

120. He will not be allowed (except in cases of accident or sudden illness) to CHANGE his Engine on the journey, nor to leave his Station without permission.

121. He is strictly forbidden **throwing wood** or **waste,** or allowing the same to be done, from the Tender while the Train is in motion.

122. He must **start** and **stop** the Train slowly, and without a jerk, which is liable to snap the couplings and chains. He must be careful not to shut off steam suddenly (except in case of danger,) so as to cause a concussion of the Cars.

123. The utmost care must be used in **pushing Cars into turnouts,** so as to avoid accidents.

124. In **bringing up the Train,** he must pay particular attention to the state of the weather and the condition of the Rails as well as to the length of the Train, and these circumstances must have due weight in determining when to shut off the steam. Stations must not be entered so rapidly as to require a violent application of the Brakes, or to render the sounding of the Signal Whistle necessary. Every instance of overshooting the Station, must be reported to the Superintendent.

125. When Passenger Trains are behind time, he is at liberty to make it up, in whole or in part, with the consent of the Conductor when he can do so with safety, provided that he run cautiously, and at moderate rates on curves and bad parts of the road.

126. When a **Conductor** is **disabled,** the Engineman will have full charge of, and be held responsible for, the safety of the Train, until a proper person takes charge.

127. Before any Train is backed into a siding or

crossing, the Conductor, Fireman, or some competent man, must keep a good look out with a Signal to stop any following Train.

128. No Engine is to run **Tender or Train foremost,** unless from unavoidable necessity, or by order of the Superintendent.

129. Speed must be slackened and the Bell be kept ringing in foggy weather. No Ballast Engines must be on the line in a fog.

130. Enginemen having charge of Freight Trains must always keep out of the way of Passenger Trains, by shunting if necessary; and, if doubtful of getting out of the way, they must direct the Trackman to make the usual Signals to the following Train, and to explain that a Freight Train is before them.

131. Enginemen with Freight Trains are to approach all stopping places at a speed not exceeding **ten miles** an hour when within **half a mile** of the stopping place, and to signal the Brakeman to put on his Brake before the Tender Brake is put on.

132. Enginemen in charge of Freight Trains must refuse to take cars of goods if they see that they are of a nature to take fire by a spark or hot cinder.

133. The targets of all Switches must be perceived to be correct before they are passed.

134. Every Engineman must carefully examine his Engine **after each journey,** and he must immediately report any defect or deficiency in the Engine or Train.

135. He must report to the Station Master at the

nearest Station, and to the Superintendent, any accident, neglect, or irregular occurrence that he may have observed during the journey.

136. He must see that the alarm lines are attached to the Engine Whistle before starting.

137. Enginemen must guard against killing Stock. Should any animal be injured by the Engine, the Engineman must report the same in writing to the Superintendent, stating the facts of the case. Any Engineman who neglects to make such a report immediately, will be held responsible for all damages.

Table shewing the speed of an Engine, when the time of performing a Qwarter, Half or One Mile is given.

Speed per hour.	Time of performing 1-4 Mile.	Time of performing half Mile.	Time of performing one Mile.	Speed per hour.	Time of performing 1-4 Mile.	Time of performing half Mile.	Time of performing one Mile.
Miles.	m. s.	m. s.	m. s.	Miles.	m. s.	m. s.	m. s.
5	3 0	6 0	12 0	23	0 39	1 18	2 36
6	2 30	5 0	10 0	24	0 37	1 15	2 30
7	2 8	4 17	8 34	25	0 36	1 12	2 24
8	1 52	3 45	7 30	26	0 34	1 9	2 18
9	1 40	3 20	6 40	27	0 33	1 6	2 13
10	1 30	3 0	6 0	28	0 32	1 4	2 8
11	1 21	2 43	5 27	29	0 31	1 2	2 4
12	1 15	2 30	5 0	30	0 30	1 0	2 0
13	1 9	2 18	4 37	31	0 29	0 58	1 56
14	1 4	2 8	4 17	32	0 28	0 56	1 52
15	1 0	2 0	4 0	33	0 27	0 54	1 49
16	0 56	1 52	3 45	34	0 26	0 53	1 46
17	0 52	1 46	3 31	35	0 25	0 51	1 43
18	0 50	1 40	3 20	36	0 25	0 50	1 40
19	0 47	1 34	3 9	37	0 24	0 48	1 37
20	0 45	1 30	3 0	38	0 23	0 47	1 34
21	0 42	1 25	2 51	39	0 23	0 46	1 32
22	0 40	1 21	2 43	40	0 22	0 45	1 30

TIME TABLE, CONTINUED.

Speed per hour.	Time of performing 1-4 Mile.	Time of performing half Mile.	Time of performing one Mile.	Speed per hour.	Time of performing 1-4 Mile.	Time of performing half Mile.	Time of performing one Mile.
Miles.	m. s.	m. s.	m. s.	Miles.	m. s.	m. s.	m. s.
41	0 21	0 43	1 27	51	0 17	0 35	1 10
42	0 21	0 42	1 25	52	0 17	0 34	1 9
43	0 20	0 41	1 23	53	0 17	0 34	1 7
44	0 20	0 40	1 21	54	0 16	0 33	1 6
45	0 20	0 40	1 20	55	0 16	0 32	1 5
46	0 19	0 39	1 16	56	0 16	0 32	1 4
47	0 19	0 38	1 16	57	0 15	0 31	1 3
48	0 18	0 37	1 15	58	0 15	0 31	1 2
49	0 18	0 36	1 13	59	0 15	0 30	1 1
50	0 18	0 36	1 12	60	0 15	0 30	1 0

SECTION SEVENTH.

Brakemen.

138. Brakemen must see that the Cars are properly warmed and oiled, and when the Train is in motion, ride on the Platform of the Cars, in readiness to apply the Brakes, having care that the wheels shall not slip on the rails, unless to prevent accidents.

SECTION EIGHTH.

Baggage Masters.

139. Baggage Masters will receive from Passengers all Baggage to be forwarded, and check or mark it plainly. Baggage must, in all cases, be handled with such care as to prevent injury, and prevent all just cause of complaint.

140. Baggage checks must be kept at all times in a secure place, and they must not be exposed to theft or loss.

141. Eighty pounds of personal baggage will be allowed to each Passenger, and all articles other than personal baggage, and all excess of personal baggage will be charged for at double the rates for Freight on Freight Trains, and must be prepaid.

142. They will consider themselves to be, and will act as Brakemen at all times.

SECTION NINTH.

Firemen.

143. They are subject to the orders of the Engineman while on their Engines.

144. They will keep the Engines cleaned and properly oiled, and assist the Engineman as may be required.

SECTION TENTH.

Switchmen.

145. The duties of Switchmen require **care, attention,** and **watchfulness,** for any neglect may cause serious accidents.

146. He must keep his Switches clear and well oiled. Whenever a Train has passed over, he will see that they are replaced in the proper position. He

must try his points before the passing through of any Train.

147. He **shall not,** when a Train is due, or within fifteen minutes of the time, allow on any pretence an Engine to pass from any siding on to the main Track.

148. He must always be furnished, when on duty, with the following articles:—

1 Hand Lamp, having three colours;
3 Flags, White, Red, and Green.

149. He must **not** allow any Engine to pass from one line to another without first ascertaining that it is safe to do so.

SECTION ELEVENTH.

Track Masters.

150. Track Masters will maintain a thorough inspection of the Track, Bridges, Switches, Crossings, Culverts, Drains, Fences, and to the safety of the road. He will have the charge and supervision of all Repair men, and be held responsible for the faithful performance of their duty.

151. When materials are wanted for repairs, he will report to the Superintendent, as no bills will be allowed for purchases made other than by his order.

152. He must see that each gang of men is provided with a set of signals, consisting of green, white, and red flags, a signal lamp, and with a Time Table of the hours each Train starts.

153. His duties are:—

To maintain the Rails in proper guage, perfect in line and level, and safe in all respects;

To remove all loose timber, stones or iron from the road, and to keep the Track clear from interruption of any kind;

To report to the Superintendent any defect in fences or any of the works;

To permit no gates to be left open, or bars down longer than while in use;

To prevent all persons from trespassing on the Track, and, if necessary, to take such persons as persist in trespass into custody;

154. When the road is under repair, the following signals must be shown to the Engine driver.

If the road is safe the man must stand on the side of the road holding the **white** flag or light.

If the road is in a rough state the **green** flag or light should be shown.

If a rail is out, or from any other cause, the road is impassable, a man is to proceed at least 500 yards from the point of danger towards the approaching Engine, and wave the **red** flag or **red** light.

155. No rail is to be raised more than **two inches** at one time, and this must be distributed over three rails length. They must be firmly packed up **fifteen minutes** before the appointed time for the passing of any Trains. The two rails forming one line must be raised at the same time.

156. Nothing must be done on the Track to make

any impediment to the free transit of Trains during a Fog.

157. Track Masters, in their intercourse with the public and with landholders, will be civil and obliging, and endeavour to prevent injury to them or their property.

SECTION TWELFTH.

Penalties.

158. Disobedience to or neglect of any of the foregoing Regulations, on the part of any person employed under the Commissioners, will subject him to **immediate dismissal,** or the forfeiture of **one day's pay,** at the option of the Commissioners.

SECTION THIRTEENTH.

Regulations in regard to Passengers.

159. Passengers must procure Tickets before taking their seats in the Cars, subject to an increase of 7½d. to the fare, in case of neglect.

160. They must not smoke in the Passenger Cars or Station Houses, subject to a penalty of Five Shillings for each offence.

161. They must not, under any circumstances, stand on the platforms of any cars when in motion, subject to a penalty of Five Shillings for each offence.

162. They must not go upon or leave the Cars when in motion, nor put their heads or arms out of the Car windows, subject to a penalty of five shillings for each offence.

163. Children will be charged for in the following proportions :—

Over twelve years of age, full price.

Between four and twelve years, half price, and under four free.

SECTION FOURTEENTH.

In regard to Baggage.

163. All Baggage must be delivered to the Baggage Master or other person authorised to receive the same, before the Passenger takes his seat in the Cars.

165. Baggage must be accompanied **in the same Train** by its owner. When not so accompanied, the Railway will not be responsible in regard to it.

166. The liability of the Railway, in regard to Baggage and other articles transported upon a Passenger Train, will not commence till such baggage or other articles are received on board the Train; and such liability will terminate when such baggage or other articles are unladen from the Train at their place of destination.

167. Baggage will not be taken to include money, merchandise, or other articles than those of personal use.

168. The Railway will not be liable for any baggage or article not given in charge to the Baggage Master.

SECTION FIFTEENTH.

In regard to Freight.

169. All articles of Freight must be distinctly marked, or they will not be received.

170. The Railway will not be liable for the safe carriage or custody of any Freight, unless receipted for by an authorised Agent, and no Agent of the Commissioners is authorised to receive or transport any Freight which is not thus receipted for. Specie, drafts, and other articles of great intrinsic or representative value, will only be taken upon a representation of their value, and by a special agreement assented to by the Superintendent.

171. The Railway will not be liable for any injury to any articles of Freight during the course of transportation, arising from the weather or accidental delays; nor any special despatch be guaranteed in the transportation of such articles, unless made the subject of express stipulation, nor be liable for such articles after their arrival at their place of destination and unlading in the depot or warehouses.

172. Machinery, Furniture, Castings, all liquids, in glass or earthenware, fruit and live animals, will only be taken at the owners risk of fracture or injury

during the course of transportation, loading and unloading.

173. Gunpowder, Matches, and like combustibles, will not be received on any terms, and all persons procuring the reception of such freight by fraud or concealment, will be responsible for any damage which may arise from it.

174. All articles of Freight arriving at the place of destination must be taken away within twenty-four hours after being unladen. If not so taken, they will be stored at the expense and risk of their owners.

VICTORIÆ REGINÆ.

CAP. XVIII.

An Act for the Regulation of Railways.

Passed 6th April, 1853

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows :—

1. If any person shall wifully obstruct the Commissioners for the management and construction of Railways under 19 Victoria, Cap. 15, or any Engineer, officer, or person acting under authority from the said Commissioners, in the lawful exercise of their power in setting out the line of the European and North American Railway, or shall pull up or remove any poles, pegs or stakes driven into the ground for the purpose of so setting out the line of the Railway, or shall deface or destroy any pegs or marks put down or made for the same purpose, or shall wilfully obstruct any of the Contractors, or their servants or workmen, while employed in the construction of the Railway, he shall forfeit a sum not exceeding five pounds for every such offence.

2. If any person shall wilfully obstruct or impede any Engineer, officer, or person acting with authority from the said Commissioners, in the execution of his duties upon the Railway, or upon or in any of the Stations or other works or premises connected therewith; or if any person shall wilfully trespass upon the Railway, or any of the Stations or other works connected therewith, and shall refuse to quit the same upon request made to him by any officer, servant or agent of

the Commissioners; or shall wilfully disturb, break down, injure or destroy any of the fences of the Railway, or remove the same or any part thereof; or shall blot out or deface any regulations put up upon the line, or pull down or injure the boards upon which such regulations are affixed, every such person so offending, and all others aiding or assisting therein, shall severally forfeit a sum not exceeding twenty-five pounds for every such offence.

3. If any person, after the Railroad or any section thereof shall be opened for use, shall himself go thereon, or shall ride, drive, or lead any animal thereon, he shall for every such offence forfeit a sum not exceeding forty shillings; but nothing in this regulation shall prevent the passing across the Railroad where the same is crossed by any other road on a level therewith.

4. If any animal shall be found going at large within the limits of the Railroad, or any section thereof, after the same shall be open for use, the owner thereof, and the person through whose default or neglect the same shall occur, shall for every such offence severally forfeit a sum not exceeding forty shillings, provided that the Railroad shall have on the sides thereof where it shall not cross some other road on the same level a fence approved of by the Commissioners.

5. If any person shall travel, or attempt to travel, in any carriage belonging to the Railroad, without having previously paid his fare, and with intent to avoid payment thereof, or if any person, having paid his fare for a certain distance, knowingly and wilfully proceed in any such carriage beyond such distance without previously paying the additional fare for the additional distance, and with intent to avoid payment thereof, or if any person knowingly and wilfully refuse or neglect on arriving at the point to which he has paid his fare to quit such carriage, or if any person, while in such carriage, shall offend or annoy the other passengers therein by riotous conduct, or by indecent or profane language, or shall disobey

the lawful directions of the Conductor or Officer, or shall persist in smoking after a request from the Conductor to desist, every such person shall for every such offence forfeit a sum not exceeding five pounds.

6. If any person be discovered either in or after committing or attempting to commit any such offence as in the preceding regulation mentioned, all officers and servants of the Commissioners and such other persons as they may call to their aid, and all constables, gaolers, and peace officers, may lawfully apprehend and detain such person until he can conveniently be taken before some Justice, or until he can be otherwise discharged in due course of law.

7. If any person shall send by the Railway any aqua-fortis, oil of vitriol, gunpowder, lucifer matches, or other goods of a dangerous character, without distinctly marking their nature on the outside of the package containing the same, or otherwise giving notice to the book-keeper or other servant of the Commissioners with whom the same are left, at the time of so sending, he shall forfeit for every such offence a sum not exceeding twenty pounds.

8. If any passenger shall wilfully cut the lining, or remove or damage any part of the carriage, or shall get into or get off of any train when in motion, or at any other place than the passengers' platforms, or attempt to do so, every such person shall for every such offence forfeit and pay a sum not exceeding forty shillings.

9. If any person shall wilfully and maliciously put, place, cast or throw upon or across any Railway, any wood, stone or other matter or thing, or shall wilfully or maliciously take up, remove or displace any rail, sleeper, or other matter or thing belonging to any Railway, or shall wilfully and maliciously turn, move or divert any points or other machinery belonging to any Railway, or shall wilfully

or maliciously make or show, hide or remove any signal or light upon or near to any Railway, or shall wilfully or maliciously do or cause to be done any other matter or thing with intent in any of the cases aforesaid, to obstruct, upset, overthrow, injure or destroy any engine, tender, carriage, truck, using such Railway, or to endanger the safety of any person travelling or being upon any such Railway, every such offender shall be guilty of felony, and be imprisoned for a term not exceeding seven years.

10. It shall be lawful for any officer or agent of the Railway Commissioners, or for any special constable duly appointed, and all such persons as they may call to their assistance, to seize and detain any conductor, engine driver, porter, or other servant in the employ of such Commissioners, who shall be found drunk while employed upon the Railway, or commit any offence against any of the by-laws, rules, or regulations of such Commissioners; or shall wilfully, maliciously, or negligently do or omit to do any act whereby the life or limb of any person passing along, or being upon the Railway, or the works thereof respectively shall be or might be injured or endangered, or whereby the passage of any of the engines, carriages or trains shall be or might be obstructed or impeded, and to convey such conductor, engine driver, porter, or other servant so offending, or any person counselling, aiding, or assisting in such offence, with all convenient dispatch before some Police Magistrate for the place within which such offence shall be committed, without any other warrant or authority than this Act; and every such person so offending, and every person counselling, aiding, or assisting therein as aforesaid, shall, when convicted before such Justice as aforesaid, (who is hereby authorized and required upon complaint to him made upon oath, without information in writing, to take cognizance thereof and to act summarily in the premises,) in the discretion of such Justice be imprisoned with or without hard

labour for any term not exceeding two calendar months, or in the like discretion of such Justice shall for every such offence forfeit any sum not exceeding ten pounds, and in default of payment thereof, shall be imprisoned with or without hard labour as aforesaid, for such period, not exceeding two calendar months, as such Justice shall appoint, such commitment to be determined on payment of the amount of the penalty.

11. The Lieutenant Governor in Council is hereby authorized to appoint fit and proper persons to be Police Magistrates along the line of the European and North American Railway, each of which Police Magistrates shall have authority to act by himself in all cases in which two Justices of the Peace may now act, and in the adjudication of all summary cases under this Act; and the jurisdiction of such Police Magistrates may extend along the whole line of the European and North American Railway, its branches and extensions, and within five miles on each side thereof, through all or any of the Counties within which the said line of Railway, its branches or extensions, may pass, according as the Lieutenant Governor in Council may appoint and direct, and may be described in all proceedings as "The Police District of the European and North American Railway;" and such Police Magistrates are hereby authorized and empowered to appoint, subject to the approval of the said Commissioners, such and so many stipendiary constables on the said line of Railway as they may deem necessary for the preservation of peace or good order, and to displace the same and appoint others whenever requisite, which constables shall be under the direction and control of such Police Magistrates; and such Magistrates and Constables shall have all the powers, authority and privileges incident to the office of the Police Magistrates and Constables by the provisions of an Act passed in the eleventh year of the Reign of Her present Majesty, intituled *An Act for estab-*

lishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John, within the district for which they are severally appointed.

12. The tenth, fifteenth, sixteenth, eighteenth, nineteenth, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, thirty-fifth, (together with Schedules A B therein referred to *mutatis mutandis*,) and thirty-sixth Sections of an Act made and passed in the eleventh year of the Reign of Her present Majesty, intituled *An Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John*, shall extend an apply to and be in force in the said District to all intents and purposes ; and all and every of the offences, penalties, forfeitures, powers, authorities, methods, remedies, rules, regulations, advantages, directions, clauses, matters and things contained in the said several Sections respectively, shall be created, incurred, and be observed, practised and put in execution in the said Police District, as fully and effectually to all intents and purposes as if the said offences, forfeitures, powers, authorities, methods, remedies, rules, regulations, advantages, directions, clauses, matters and things were severally, particularly, and respectively repeated and re-enacted, and were declared in the body of this Act, and shall severally be applied, construed, deemed and taken to belong to this Act, in like manner as if the same had been enacted therein.

13. In every case on the adjudication of a pecuniary penalty under this Act, and non-payment thereof, it shall be lawful for the Police Magistrate to commit the offender to the common gaol or to the Penitentiary for a term not exceeding three months, the imprisonment to cease on payment of the sum due on such conviction.

14. It shall be lawful for such Magistrate who shall hear and determine any such charge or complaint, to award such

costs to be paid to or by either of the parties to the said charge or complaint, the said costs to be according to the Table of Fees in the said Portland Police Act hereinbefore referred to.

15. The said Police Magistrates, and each of them, shall keep a book in which shall be regularly entered an account, in detail, of all sums of money, whether arising from fines, penalties, convictions, costs or fees received or expended by such Magistrate in connexion with or on account of such Police establishment, and shall pay over all such moneys so received at the end of each month to the Provincial Treasurer, and the same shall form part of the Railway Fund.

16. The Commissioners of Railways are hereby empowered to appoint and establish one or more buildings or places to be lock-up houses in and for the said district, and the same shall be to all intents and purposes a lawful place of committal and confinement of persons charged with offences against this Act, during the time of proceeding and until final judgment for such offence, at the discretion of the Magistrates.

17. Whereas it is desirable that all Sections of this Act applicable to the New Brunswick and Canada Railway and Land Company, shall be in full force: And whereas in this Act the words following, that is to say, 'the Commissioners for the management and construction of Railways under Act 19 Victoria, Chapter 15, or any Engineer, officer or person acting under authority from the said Commissioners,' are used; be it therefore enacted as follows—The term 'Commissioner, Manager, Engineer, or any officer or person acting under their authority,' shall have the same meaning and effect as respects the New Brunswick and Canada Railway and Land Company, as the term hereinbefore mentioned has with respect to the European and North American Railway Company; and offences committed under this Act along the

line of the New Brunswick and Canada Railway and Land Company may be tried, in the absence of a Police Magistrate, by any Justice of the Peace in any County where any such offence may be committed; and all the provisions of the Sections of this Act from one to ten inclusive, and also the thirteenth and sixteenth Sections, shall be and are hereby extended to the said New Brunswick and Canada Railway and Land Company as fully as if the same were enacted in the Act or Acts passed relating thereto.

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