# CHAPTER 57.

An Act to amend the Regulation of Railways Acts; and for other purposes. [30th August 1889.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to order certain provisions to be made for public safety.

**1.**—(1.) The Board of Trade may from time to time order a railway company to do, within a time limited by the order, and subject to any exceptions or modifications allowed by the order, any of the following things:

(*a.*) To adopt the block system on all or any of their railways open for the public conveyance of passengers;

(*b.*) To provide for the interlocking of points and signals on or in connexion with all or any of such railways;

(*c.*) To provide for and use on all their trains carrying passengers continuous brakes complying with the following requirements, namely:

(i.) The brake must be instantaneous in action, and capable of being applied by the engine-driver and guards;

(ii.) The brake must be self-applying in the event of any failure in the continuity of its action;

(iii.) The brake must be capable of being applied to every vehicle of the train, whether carrying passengers or not;

(iv.) The brake must be in regular use in daily working;

(v.) The materials of the brake must be of a durable character, and easily maintained and kept in order.

In making any order under this section the Board of Trade shall have regard to the nature and extent of the traffic on the railway, and shall, before making any such order, hear any company or person whom the Board of Trade may consider entitled to be heard.

Enforcement of orders of Board of Trade.

**2.** If default is made in compliance with any order made by the Board of Trade in pursuance of the last foregoing section, the Railway and Canal Commission may, on the application of the Board of Trade, enjoin obedience to the order, and thereupon the order may be enforced as if it were made by the Commission for the purpose of carrying into effect any of the provisions of the Acts under which the Commission have jurisdiction.

Issuing debenture stock to meet expenses incurred under this Act.

**3.** Whenever any railway company shall be ordered by the Board of Trade to provide any appliances, or execute any works, or incur any expenditure under the provisions of this Act which would properly be chargeable to capital account, it shall be lawful for such company to furnish to the Board of Trade an estimate of the cost of providing such appliances, executing such works, and carrying out such order generally, and thereupon the Board of Trade shall, upon the application of the company, fix and determine the amount which would properly be capital expenditure, and the company may from time to time issue debentures or debenture stock in priority to or ranking pari passu with any existing debentures or debenture stock of such company bearing interest at a rate

not exceeding five per cent. per annum to an amount not exceeding the sum so fixed and determined, and any money raised under the provisions of this section shall be applied in carrying out such requirements of the Board of Trade and to no other purpose whatsoever, and no other authority save the certificate of the Board of Trade shall be requisite to authorise and validate the issue of such debentures or debenture stock.

Returns of overtime to oard of Trade.

**4.**—(1.) Every railway company shall make to the Board of Trade periodical returns as to the persons in the employment of the company whose duty involves the safety of trains or passengers, and who are employed for more than such number of hours at a time as may be from time to time named by the Board of Trade.

(2.) The returns shall be delivered at such intervals, and shall be in such form, and contain such particulars, as the Board of Trade from time to time direct.

34 & 35 Vict. c. 78.

(3.) The provisions of sections nine and ten of the Regulation of Railways Act, 1871, with respect to penalties, shall apply to returns under this section.

Penalty for avoiding payment of fare.

**5.**—(1.) Every passenger by a railway shall, on request by an officer or servant of a railway company, either produce, and if so requested deliver up, a ticket showing that his fare is paid, or pay his fare from the place whence he started, or give the officer or servant his name and address; and in case of default shall be liable on summary conviction to a fine not exceeding forty shillings.

(2.) If a passenger having failed either to produce, or if requested to deliver up, a ticket showing that his fare is paid, or to pay his fare, refuses, on request by an officer or servant of a railway company, to give his name and address, any officer of the company or any constable may detain him until he can be conveniently brought before some justice or otherwise discharged by due course of law.

(3.) If any person—

(*a.*) Travels or attempts to travel on a railway without having previously paid his fare, and with intent to avoid payment thereof; or

(*b.*) Having paid his fare for a certain distance, knowingly and wilfully proceeds by train beyond that distance without previously paying the additional fare for the additional distance, and with intent to avoid payment thereof; or

(*c.*) Having failed to pay his fare, gives in reply to a request by an officer of a railway company a false name or address,

he shall be liable on summary conviction to a fine not exceeding forty shillings, or, in the case of a second or subsequent offence, either to a fine not exceeding twenty pounds, or in the discretion of the court to imprisonment for a term not exceeding one month.

(4.) The liability of an offender to punishment under this section shall not prejudice the recovery of any fare payable by him.

Passenger ticket to have fare printed thereon.

**6.** From and after a date to be fixed by order of the Board of Trade, and subject to such exceptions, if any, as may be allowed by such order, every passenger ticket issued by any railway company in the United Kingdom shall bear upon its face, printed or written in legible characters, the fare chargeable for the journey for which

such ticket is issued, and any railway company issuing any passenger ticket in contravention of the provisions of this section shall be liable to a penalty not exceeding forty shillings for every ticket so issued, to be recovered on summary conviction.

Power to make byelaws as to stations.

**7.** The power conferred on a railway company by the Railways Clauses Consolidation Act, 1845, and the Railways Clauses Consolidation Act (Scotland), 1845, to make byelaws subject to disallowance by the Board of Trade, shall include power to make byelaws for maintaining order in, and regulating the use of, railway stations and the approaches thereto.

Short title.

**8.**—(1.) This Act may be cited as the Regulation of Railways Act, 1889.

(2.) This Act and the Regulation of Railways Acts, 1840 to 1871, may be cited collectively as the Regulation of Railways Acts, 1840 to 1889.

## CHAPTER 58.

### An Act to amend the Coinage Act, 1870, as respects Light Gold Coins. [30th August 1889.]

33 & 34 Vict. c. 10.

WHEREAS by section seven of the Coinage Act, 1870, it is enacted as follows:

"Where any gold coin of the realm is below the current weight "as provided by this Act, or where any coin is called in by any "proclamation, every person shall, by himself or others, cut, break, "or deface any such coin tendered to him in payment, and the "person tendering the same shall bear the loss:"

And whereas the said section has failed to maintain the integrity of the gold coinage of the realm, and it is expedient to provide for the exchange of a portion of such gold coins as, owing to fair wear and tear, are below the least current weight without charging the holders thereof for the loss:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision as to exchange of light pre-Victorian gold coins.

**1.**—(1.) Any gold coin of the realm coined before the reign of Her present Majesty which is below the least current weight as provided by the Coinage Act, 1870, may, within the time and in the manner from time to time directed by Her Majesty the Queen in Council, be tendered for exchange, and, if it has not been illegally dealt with, shall (notwithstanding anything in section seven of the Coinage Act, 1870) be exchanged or paid for by or on behalf of the Mint at its nominal value:

(2.) Any expenses incurred by reason of such exchange or payment shall be defrayed out of moneys provided by Parliament:

(3.) For the purposes of this Act a gold coin shall be deemed to have been illegally dealt with, where the coin has been impaired, diminished, or lightened otherwise than by fair wear and tear, or