



Regulation of Railways Act 1868

1868 CHAPTER 119

II.—Obligations and Liability of Companies as Carriers

14 Liability of Company during Sea Transit.

Where a Company by Through Booking contracts to carry any Animals, Luggage, or Goods from Place to Place partly by Railway and partly by Sea, or partly by Canal and partly by Sea, a Condition exempting the Company from Liability for any Loss or Damage which may arise during the Carriage of such Animals, Luggage, or Goods by Sea from the Act of God, the King's Enemies, Fire, Accidents from Machinery, Boilers, and Steam, and all and every other Dangers and Accidents of the Seas, Rivers, and Navigation, of whatever Nature and Kind soever, shall, if published in a conspicuous Manner in the Office where such Through Booking is effected, and if printed in a legible Manner on the Receipt or Freight Note which the Company gives for such Animals, Luggage, or Goods, be valid as Part of the Contract between the Consignor of such Animals, Luggage, or Goods and the Company in the same Manner as if the Company had signed and delivered to the Consignor a Bill of Lading containing such Condition. For the Purposes of this Section the Word " Company" includes the Owners, Lessees, or Managers of any Canal or other Inland Navigation.

15 Fares to be posted in Stations.

On and after the First Day of *January* One thousand eight hundred and sixty-nine every Company shall cause to be exhibited in a conspicuous Place in the Booking Office of each Station on their Line a List or Lists painted, printed, or written in legible Characters, containing the Fares of Passengers by the Trains included in the Time Tables of the Company from that Station to every Place for which Passenger Tickets are there issued.

16 Provision for securing Equality of Treatment where Railway Company works Steam Vessels.

Where a Company is authorized to build, or buy, or hire, and to use, maintain, and work, or to enter into Arrangements for using, maintaining, or working, Steam Vessels

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for the Purpose of carrying on a Communication between any Towns or Ports, and to take Tolls in respect of such Steam Vessels, then and in every such Case Tolls shall be at all Times charged to all Persons equally and after the same Rate in respect of Passengers conveyed in a like Vessel passing between the same Places under like Circumstances; and no Reduction or advance in the Tolls shall be made in favour of or against any Person using the Steam Vessels in consequence of his having travelled or being about to travel on the whole or any Part of the Company's Railway, or not having travelled or not being about to travel on any Part thereof, or in favour of or against any Person using the Railway in consequence of his having used or being about to use, or his not having used or not being about to use, the Steam Vessels ; and where an aggregate Sum is charged by the Company for Conveyance of a Passenger by a Steam Vessel and on the Railway, the Ticket shall have the Amount of Toll charged for Conveyance by the Steam Vessel distinguished from the Amount charged for Conveyance on the Railway.

The Provisions of the Railway and Canal Traffic Act, 1854, so far as the same are applicable, shall extend to the Steam Vessels and to the Traffic carried on thereby.

17 Company bound to furnish Particulars of Charges for Goods.

Where any Charge shall have been made by a Company in respect of the Conveyance of Goods over their Railway, on Application in Writing within One Week after Payment of the said Charge made to the Secretary of the Company by the Person by whom or on whose Account the same has been paid, the Company shall within Fourteen Days render an Account to the Person so applying for the same, distinguishing how much of the said Charge is for the Conveyance of the said Goods on the Railway, including therein Tolls for the Use of the Railway, for the Use of Carriages, and for locomotive Power, and how much of such Charge is for loading and unloading, covering, Collection, Delivery, and for other Expenses, but without particularizing the several Items of which the last-mentioned Portion of the Charge may consist.

18 Charge when Two Railways worked by One Company,

Where Two Railways are worked by One Company, then in the Calculation of Tolls and Charges for any Distances in respect of Traffic (whether Passengers, Animals, Goods, Carriages, or Vehicles) conveyed on both Railways, the Distances traversed shall be reckoned continuously on such Railways as if they were One Railway.

19 Proceedings in case of Non-consumption of Smoke.

Where Proceedings are taken against a Company using a Locomotive Steam Engine on a Railway on account of the same not consuming its own Smoke, then if it appears to the Justices before whom the Complaint is heard that the Engine is constructed on the Principle of consuming its own Smoke, but that it failed to consume its own Smoke, as far as practicable, at the Time charged in the Complaint through the Default of the Company, or of any Servant in the Employment of the Company, such Company shall be deemed guilty of an Offence under the Railways Clauses Consolidation Act, 1845, Section One hundred and fourteen.

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20 Smoking Compartments for all Classes,

All Railway Companies, except the *Metropolitan* Railway Company, shall, from and after the First Day of *October* next, in every Passenger Train where there are more Carriages than One of each Class, provide Smoking Compartments for each Class of Passengers, unless exempted by the Board of Trade.

21 Rail way Companies to be liable to Penalties in case they shall provide Trains for Prize Fights.

Any Railway Company that shall knowingly let for Hire or otherwise provide any Special Train for the Purpose of conveying Parties to or to be present at any Prize Fight, or who shall stop any ordinary Train to convenience or accommodate any Parties attending a Prize Fight at any Place not an ordinary Station on their Line, shall be liable to a Penalty, to be recovered in a summary Way before Two Justices of the County in which such Prize Fight shall be held or shall be attempted to be held, of such Sum not exceeding Five hundred Pounds, and not less than Two hundred Pounds, as such Justices shall determine, One Half of such Penalty to be paid to the Party at whose Suit the Summons shall be issued, and the other Half to be paid to the Treasurer of the County in which such Prize Fight shall be held or shall be attempted to be held in aid of the County Rate ; and Service of the Summons under which the Penalty is sought to be enforced on the Secretary of the Company at his Office Ten Days before the Day of Hearing shall be sufficient to give the Justices before whom the Case shall come Jurisdiction to hear and determine the Case.