

HOUSE....No. 259.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, May 1, 1856.

The Committee on Railways and Canals, to whom was referred the Order of Mr. Fisher, of Worcester, relating to railway trains, and the Order of Mr. Robinson, of Charlestown, in relation to railroad crossings, have considered the same, and report the accompanying Bill.

For the Committee,

HARRISON RITCHIE.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty-
Six.

AN ACT

In addition to an Act to secure the Safety of Passengers
at Railroad Crossings.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

1 SECT. 1. In all cases in which, under the pro-
2 visions of the four hundred and fifty-second chapter
3 of the acts of the year one thousand eight hun-
4 dred and fifty-five, it is made the duty of the engine-
5 man in charge of the engine attached to any train of
6 any railroad, to stop his engine within five hundred
7 feet of the intersection of said railroad with any other
8 railroad, it shall be the duty of each and every
9 brakeman attached to the train moved by said engine,

10 to apply the brakes under his charge, and assist in
11 stopping said train upon the signal for such stoppage
12 of the train being given by the engineman. And for
13 every case of neglect or refusal of any such brake-
14 man, to comply with the requisitions of this section
15 he shall forfeit and pay the sum of fifty dollars.

1 SECT. 2. Whenever any train, on any railroad,
2 which is drawn or moved by more than one engine,
3 shall approach the point of intersection of said rail-
4 road with any other railroad at grade, it shall be the
5 duty of the engineman in charge of the leading en-
6 gine, to stop his engine as provided in the four hun-
7 dred and fifty-second chapter of the acts of the year
8 one thousand eight hundred and fifty-five, and it shall
9 be the duty of the enginemen in charge of the other
10 engines attached to said train, to stop their engines
11 at the same time with the leading engine, and upon
12 the signal for such stoppage being given by the engine-
13 man in charge of the leading engine on said train;
14 and in case of any neglect or refusal of any such
15 engineman so to stop his engine, he shall be liable to
16 the penalties provided in said last mentioned act; and
17 the said stops hereby required to be made by the
18 enginemen in charge of engines other than the lead-
19 ing engine on any train, shall be a full compliance
20 with the provisions of the last mentioned act.

1 SECT. 3. No engineman shall so stop his engine
2 on any railroad that the same, or the train to which
3 it is attached, shall be stopped across the track of any
4 other railroad at the point of intersection of the two
5 railroads. And when two or more crossings at grade,

6 on the same railroad, are situate within such a dis-
7 tance of each other that the engineman in charge of
8 the engine attached to any train upon said railroad,
9 cannot, in any case, stop his engine within five hun-
10 dred feet of either of the said intersections without
11 stopping some part of said train across the other of
12 the said intersections, in such case one stop shall suf-
13 fice for both of said crossings.

1 SECT. 4. Whenever any railroad now constructed,
2 or which shall hereafter be constructed, crosses or is
3 crossed by any other railroad at grade, it shall be the
4 duty of the brakemen attached to any train on either
5 of the said roads, when approaching the point of
6 intersection without any engine attached to such
7 train, to stop such train at some point within the dis-
8 tance of five hundred feet of such crossing; and for
9 every violation or neglect of such duty, the brake-
10 man guilty of such neglect shall forfeit and pay the
11 sum of one hundred dollars.

1 SECT. 5. So much of the four hundred and fifty-
2 second chapter of the acts of the year one thousand
3 eight hundred and fifty-five, as is inconsistent with
4 the provisions of this act, is hereby repealed.

1 SECT. 6. The provisions of the second section of
2 the said last mentioned act, shall apply to all for-
3 feitures incurred under this act, and to all actions
4 brought for the same.