

# VICTORIAN



SECT

# BYE-LAW

**THE BOARD OF LAND AND WORKS, by virtue of the power conferred upon it by the Act of the 25th Victoria, No. 10, 1865," doth hereby make the following BYE-LAWS, for the**

**No. I.** Melbourne time is to be observed at all Stations.

**No. II.** Any person (unless having a free pass) taking a seat or remaining in or upon any Carriage used on the Railway as a Passenger, or travelling therein upon the Railway, without having first paid his or her fare and obtained a ticket, shall be liable to a penalty not exceeding five pounds.

**No. III.** Each Passenger, on paying his or her fare, will be furnished with a ticket, which he or she is to show whenever required by a Station-master or Porter authorized by him or by the Guard in charge of the Train; and if it be a journey or return ticket, he or she must allow it to be marked when required; and every ticket (whether single, return, or periodical) must be delivered up upon demand of any Porter or other Servant of the Board of Land and Works who may be authorized to collect tickets. Any person guilty of a breach of this Bye-Law shall be liable to a penalty not exceeding five pounds.

**No. IV.** Tickets are not transferable. A ticket can only be used by the person for whom it may be issued. Any person using or attempting to use a transferred single, return, or periodical ticket, after being once used or travelled with, shall be liable to a penalty not exceeding five pounds.

**No. V.** No Passenger shall be entitled to rebook or take a ticket at any intermediate Station for the purpose of continuing his journey in the same Train as that in which he shall have arrived at such Station.

**No. VI.** Any person knowingly attempting to defraud the Board by travelling upon the Railway in or upon a Carriage of a superior class to that for which he or she is provided with a ticket, or altering a return or other ticket, shall be liable to a penalty not exceeding twenty pounds.

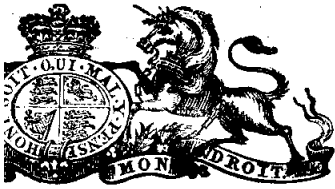
**No. VII.** Tickets, whether single or return, shall be available, and shall be used by Passengers only to convey them to the Stations named thereon, or to any Station *short* of that destination, provided the Passenger by so using a ticket derives no advantage as regards fare. In no case, however, shall the "cheap" or "excursion" tickets be used at or for any other Station than those named thereon. Any person using or attempting to use a ticket in violation of this Bye-Law, shall be liable to a penalty not exceeding five pounds.

**No. VIII.** No ticket will be recognised by any Collector or Servant of the Board authorized to collect or examine tickets unless the number, date, and names of the Stations printed on such ticket are perfectly legible. The holder of any ticket which may be defaced or rendered illegible in any of the above particulars will be regarded as not having paid his fare, and shall be liable to a penalty not exceeding five pounds.

**No. IX.** Any person, not being duly authorized by the Board, who shall sell or offer for sale any free pass, ticket, or portion of a return ticket, shall be liable to a penalty not exceeding twenty pounds.

**No. X.** No male Passenger will be allowed to enter or remain in any waiting-room or Carriage set apart for the accommodation of females, and any person persisting in remaining in any such room or Carriage, after being warned to leave the same, shall be liable to a penalty not exceeding ten pounds.

**No. XI.** Any person, not being a Servant of the Board, who shall open any Carriage, for the purpose of entering



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ers and authorities vested in it by the "PUBLIC WORKS STATUTE" for several purposes therein respectively mentioned, that is to say :

**No. XXVI.** In all cases where, according to the Goods Classification, the loading may have to be performed by the owner, *two working hours* will be allowed for loading, and if not completed within that time, demurrage at the rate of 1s. per truck per hour will be charged ; and where, according to the Goods Classification, the unloading may have to be done by the owner, *eight working hours* will be allowed, and if not completed within that time, demurrage at the rate of 1s. per truck per hour will be charged ; part of an hour to be charged as an hour ; or the Board, by its Officers and Servants, may load or discharge such goods at the risk of the owner, consignor, or consignee, and such goods shall be subject to the costs of such loading or unloading, as the case may be, in addition to the freight and to such other costs or charges as may become due under the preceding Bye-Law.

**No. XXVII.** Upon every parcel or package containing any of the articles mentioned beneath (and also in the section of "The Innkeepers and Carriers Act," No. 78), brought or delivered either to be carried for hire or to accompany the person of any Passenger, and its value and contents declared, as in the said section is mentioned, and where such value shall exceed the sum of ten pounds, there shall be paid an increased rate of charge, that is to say, double parcels or excess luggage rate if the declared value be over ten pounds and under fifty pounds, and quadruple parcels or excess luggage rate if the value exceed fifty pounds, as a compensation for the greater risk and care to be taken for the safe custody or conveyance, as the case may be, of such valuable articles, or any precious stones, jewellery, watches, clocks, or time-pieces of any description ; trinkets, bills, notes of any bank in Her Majesty's dominions, or of any foreign banks ; order notes or securities for payment of money, whether foreign or otherwise ; stamps, maps, writings, title deeds, paintings, engravings, pictures, gold or silver plate, or plated articles ; glass, china, silks in a manufactured or unmanufactured state, and whether wrought up or not wrought up with other materials ; furs or lace, or any of them, contained in any parcel or package delivered either to be carried for hire or to accompany the person of any Passenger.

**No. XXVIII.** The percentage or increased rate of charge to be paid in respect of animals mentioned in the 12th section of the "Public Works Statute 1865," namely :—"In respect of any horse declared to be above the value of fifty pounds, any herd of neat cattle above the value of twenty pounds, any sheep, pig, or other small animal above the value of one pound shall be at the rate of two pounds ten shillings per centum upon the value so declared above the respective sums so limited aforesaid, and which percentage shall be paid in addition to the ordinary rate of charge.

**No. XXIX.** No claim for loss will be allowed or recognised, unless the particulars of such claim be lodged with the Secretary within fourteen days after such loss shall have arisen, and no claim for damage will be recognised or allowed after the removal from the Railway premises of the goods or merchandise alleged to have been damaged. And the delivery of such goods shall be considered complete when notice of arrival has been given to the consignee, or where the address of the consignee is unknown, the Board will accept no liability for loss or damage after the goods shall have been at the Receiving Station forty-eight hours. All goods and live stock to be carried subject to the printed conditions of carriage.

**No. XXX.** The Board will not be responsible for articles left by Passengers at any Station, unless the same be declared and registered, for which a charge per article will be made and a ticket given in exchange, and no article will be given up without the production of the ticket, or satisfactory evidence of the ownership being adduced, and any article will be delivered up to the bearer of the ticket, unless previously delivered up to the owner. The Board will not be responsible for any package exceeding

same, shall be liable to a penalty not exceeding ten pounds.

**No. XI.** Any person, not being a Servant of the Board, who shall open any Carriage, for the purpose of entering same, with a key or other instrument, after the tickets have been examined, and the carriage doors locked by the Station-mas Guard, or other person appointed for that purpose, or any person who shall let him or herself out of any Carriage on arrival any Station, or at any time during the journey, by the use of a private key or other instrument, shall be liable to a penalty exceeding ten pounds.

**No. XII.** No person shall be permitted to travel outside a Carriage or vehicle on the Railway, under any circumstances whatever, or to get into or upon or to quit any Carriage or vehicle when the Train is in motion; and any person doing so attempting to do so, shall be liable to a sum not exceeding ten pounds.

**No. XIII.** Smoking is strictly prohibited in any of the Railway sheds, yards, offices, pier, or waiting rooms; and a person found smoking in any goods or other shed, yards, offices, pier, or premises, shall be liable to a penalty not exceeding ten pounds.

**No. XIV.** Smoking is strictly prohibited in any of the Railway Carriages, to the annoyance of any Passenger, and a person who persists in smoking after being requested by a Passenger, or warned by any Servant of the Board to desist, shall forfeit a penalty not exceeding two pounds, and may be removed from the Carriage by any of the Railway Servants.

**No. XV.** Dogs will be conveyed and charged for according to printed conditions, but they will not on any account be allowed to accompany passengers in the Carriages. Any person persisting in taking a Dog into any Passenger Carriage, in breach of this Bye-Law, shall be liable to a penalty not exceeding five pounds.

**No. XVI.** No gratuity is under any circumstances allowed to be received by the Servants of the Railway Department on pain of immediate dismissal. Any person giving or offering a gratuity to any such Servant shall be liable to a penalty not exceeding five pounds.

**No. XVII.** Any person making use of insulting or abusive language to any Officer or Servant of the Railway Department of the Board, while in the execution of his duty, or any person making use of obscene or blasphemous language on any carriage or upon any platform or premises of the Board, shall be liable to a penalty not exceeding ten pounds.

**No. XVIII.** Any person driving or attempting to drive sheep or cattle, or attempting to ride or drive any horse across the Line, either at an authorized crossing place or elsewhere, when a Train is in sight, shall be liable to a penalty not exceeding ten pounds.

**No. XIX.** Any person or persons wilfully driving, or negligently allowing to stray, any cattle, horses, sheep, or other animal, on the Railway or any lands or premises of the Board, shall be liable to a penalty not exceeding twenty pounds.

**No. XX.** (*Repealed. See No. XL.*)

**No. XXI.** Any person found bathing, swimming dogs, or otherwise polluting the water in any of the Railway Reservoirs or Tanks, shall be subject to a penalty not exceeding ten pounds.

**No. XXII.** Any person or person, unless those duly authorized by the Board, who shall be found posting or sticking bills, &c., within or upon any of the Railway property or premises, shall be subject to a penalty not exceeding five pounds.

**No. XXIII.** No person shall be entitled to require to be carried upon or along any Railway of the Board any sheep, cattle, horses, or live stock which, in the judgment of the Board, their Officers, or Servants, may be infected with any disease whatsoever nature, and the Board, their Officers, or Servants, may refuse to take any sheep, cattle, horses, or live stock suspected by them to be diseased. Any person causing or procuring any diseased sheep, cattle, horses, or live stock to be carried, or offering or causing any of them to be offered for the purpose of being carried, upon or along any such Railway, shall be liable to a penalty not exceeding twenty pounds.

**No. XXIV.** If any person shall willingly, knowingly, or negligently drive or attempt to drive, or allow to stray into any Railway Station, yard, shed, or premises, or upon any lands, or within any fences, the property of the Board, any sheep, cattle, horses, or live stock which, in the judgment of the Board, their Officers, or Servants, may be infected with scab or other disease, or any cattle, horses, or live stock having or suffering from any disease whatsoever, he shall be liable to a penalty for every such offence not exceeding twenty pounds.

**No. XXV.** All goods and merchandise (whether bonded or free), and all luggage arriving by Train at any Station or pier shall be removed from the platform, sheds, or pier within forty-eight hours, or such less time as may be fixed, and any free goods, merchandise, or luggage not removed by that time, may be stored at the risk and expense of the consignees or owners, and may then become subject to such charges as may from time to time be fixed by the Board; and any bonded goods and merchandise which shall not be removed within the period aforesaid, shall be subject to the payment of the sum of one shilling per ton per diem, until the removal of the same from the premises of the Board. And all goods, merchandise, and luggage unclaimed by the owner for the space of seven days after arrival, may be sold by the Board, and after deducting what may be due to the Board for railway carriage, storage, and charges (including expenses of sale), to pay over the surplus, if any, to the owner on demand.

*The Common Seal of the BOARD OF LAND AND WORKS was hereunto affixed in the presence of the undersigned (two of the Members of the said Board), on the twenty-seventh day of June, One thousand eight hundred and seventy-nine.*

registered, for which a charge per article will be made and a ticket given in exchange, and no article will be given up without production of the ticket, or satisfactory evidence of the ownership being adduced, and any article will be delivered up to the bearer of the ticket, unless previously delivered up to the owner. The Board will not be responsible for any package exceeding value of ten pounds.

**No. XXXI.** When and so soon as the discharge of the cargo of any vessel at the Railway pier shall have been completed (and whether or not such discharge shall happen within the period fixed therefor), the master of the vessel whose discharge shall have been completed shall immediately thereafter cause to be taken on board thereof such sand or stone ballast as may be required to steady such vessel, and shall thereupon leave the pier, and anchor such vessel outside of the buoys laid down by the Railway Department. Provided always that such vessel is not receiving or about to receive loading from the Railway pier or the Wagons or Trucks belonging to the Board. Any person guilty of a breach of this Bye-Law shall be liable to a penalty not exceeding twenty pounds.

**No. XXXII.** Every vessel, whether about to receive loading or not, shall be removed by the master thereof from the Railway pier within twelve hours after written notice shall have been left on board by the Pier-master, requiring the removal of such vessel, and any master failing to remove his vessel within the period aforesaid, shall pay to the Board a sum of £20 per day for every day or fractional part of a day thereafter during which such vessel may occupy a berth at the said pier.

**No. XXXIII.** The master of any vessel arriving at the pier shall cause the discharge thereof to be proceeded with beyond the usual working hours—that is to say, in the summer from six o'clock in the morning until six o'clock in the evening and in winter, from seven o'clock in the morning until five o'clock in the evening, if so required by the Pier-master. And the master of any vessel, when so required, shall neglect or refuse to cause the discharge of his vessel to be proceeded with accordingly, he shall be liable to a penalty not exceeding twenty pounds for each and every day or fractional part of a day during which he shall so neglect or refuse.

**No. XXXIV.** Every vessel shall be discharged by stevedores, and such stevedores shall be employed by and at the expense of the masters or agents of such vessel, and not by or on behalf of the Board.

**No. XXXV.** No person, not authorized by the Board to supply ballast to vessels lying at the pier, will be allowed to come upon such pier, or within three hundred yards thereof, with ballast for any vessel. Any person guilty of a breach of this Bye-Law shall be liable to a penalty not exceeding ten pounds.

**No. XXXVI.** No boatman, waterman, or other person will be allowed to ply for hire to or from the Railway pier, within a distance of three hundred yards therefrom, unless licensed by the Board to do so; and any person infringing this Bye-Law will be liable to a penalty not exceeding ten pounds.

**No. XXXVII.** No ship, barque, steamer, brig, schooner, sloop, lighter, barge, boat, or other vessel of any kind or description whatsoever, shall be moored or fastened to the Railway pier, or attached to any ship, barque, steamer, brig, schooner, sloop, lighter, barge, boat, or other vessel of any kind or description whatsoever so moored or fastened, without the consent in writing of the Pier-master; and the master or other person causing any such ship, barque, steamer, brig, schooner, sloop, lighter, barge, boat, or other vessel to be so moored and fastened or attached without such consent as aforesaid, shall be liable to a penalty not exceeding ten pounds; and should the Pier-master not have given his consent to the mooring or fastening of such vessel, he may proceed to remove the vessel in the manner pointed out by the 34th clause of "The Railways Act 1863."

**No. XXXVIII.** All goods that may be brought to or taken from vessels lying alongside the Railway piers, breakwater, by lighter or other craft, will be subjected to the following charges, viz.:—One shilling per ton on Goods, and sixpence per bale on Wool.

**No. XXXIX.** No person shall come or remain upon any pier, jetty, station, or other premises of the Board, for the purpose of selling or offering for sale any newspaper, book, or pamphlet, unless licensed in that behalf by the Board; and any person not so licensed so coming or remaining, or selling or offering for sale any newspaper, book, or pamphlet, upon any such pier, jetty, station, or premises, shall be liable to a penalty not exceeding ten pounds.

**No. XL.** No carman, hackney-coachman, drayman, porter, carter, or other person, unless licensed by the Board of Land and Works in that behalf, will be allowed to come into or upon the stations, lands, piers, or premises of the Board for the purpose of plying for hire or touting, or soliciting custom or hire, or removing passengers or luggage, either with or without a cab, car, dray, handcart, or truck, unless by permission of the Station-master or Pier-master in charge of such stations, lands, piers, or premises; and any carman, hackney-coachman, drayman, carter, porter, or other person evading or attempting to evade or being guilty of a breach of this Bye-Law, or refusing or neglecting to quit the premises of the Board when thereto required by a Station-master, Pier-master, or other Servant of the said Board, shall be liable to a penalty not exceeding ten pounds.

**No. XLI.** Every person writing, drawing, scratching, or cutting any letter, word, or figure upon any of the stations, premises, or any part thereof, of the Board of Land and Works, shall on conviction be liable to a penalty not exceeding twenty pounds.

**No. XLII.** The driver of every carriage, cab, dray, or other vehicle allowed to come within or stand for hire upon the premises of the said Board must be constantly attendant on his conveyance, and shall not at any time be more than three yards distant from it. Any person guilty of a breach of this Bye-Law shall be liable to a penalty not exceeding ten pounds.

**JOHN WOODS,** Vice-President.

**A. MORRAH,** Member.

L.S.