

NEWSLETTER

Meeting/Membership Telephone Number (978) 454-3600

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January — February 2005

Bob Warren, Editor (bobwarren@earthlink.net)

Visit the B&MRRHS on the web at: <http://www.trainweb.org/bmrrhs/>

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When attending a Membership meeting please enter through the weave room entrance, there will be a sign. Walk through the weave room to the elevator and onto the second floor. This is a National Park security rule and the Society has to abide by it. — Buddy Winiarz, President

B&MRRHS CALENDAR

Meetings commence at 3:30 pm on the second Saturday at Boott Mill unless otherwise indicated.

Meeting Events are subject to change without notice.

Jan Dick Towell will be showing the B&M and other railroads

Feb Buddy Winiarz will be showing slides from NE, NY, and Pa that includes the East Broad Top RR and scenes around Altoona, Pa.

March Gary Webster will be presenting New England railroading

April at Mass Bay...entertainment unknown at present

May Justin Winiarz presenting slides from NY, PA, MA and Ohio.

June working on a trip to the new "BET."

July Folk Festival...no membership meeting

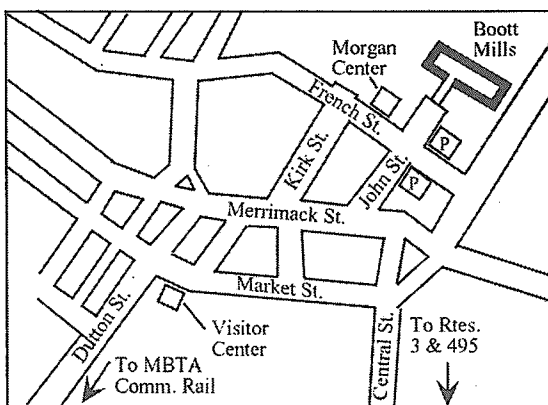
Inclement weather cancellation...please call the Society phone, (978) 454-3600, after 11 AM if you are not sure. —

Jim Nizgus, Program Co-Chairman

DIRECTIONS TO THE LOWELL MEETING PLACE

At the traffic light near the Mogan Center, take a right or left depending on which way you come down French St., go past the little guard shack (Parking lot is on right-Boarding House Park is to the left), Walk over the trolley tracks and bridge, into the courtyard, bear to the right and go to the end. The doorway will be lighted. Also look for signs.

VISITORS MUST PARK IN THE LOT ON FRENCH STREET-NO PARKING IS ALLOWED IN THE COURTYARD.



NEXT ISSUE

The deadline for submitting material for the Newsletter is the first of each even month. Such material can be sent to the editor at the above email address or to 1201 Kapok Circle, Clearwater, FL 33759-3210.

The society reserves the right to edited any submitted material.

MEMBER INFORMATION

Newsletter

Correspondence concerning the Newsletter can be sent to either
The address on page I
or emailed to:
bobwarren@earthlink.com

All Other Correspondence goes to the following address
(or by email) including catalog orders, correspondence with the Board
of Directors, Archives, Historian, or Bulletin.

B&MRRHS, P.O. 469, Derry, NH 03038 or
CPC835-DD@JUNO.com

In all instances involving money DO NOT send cash as the society will
not be held responsible for if lost.

Make checks, etc. payable to **B&MRRHS**

Address Change: if you change your address please let the Society
know by mail or email. When you do not let us know, it costs extra for
postage: first mailing, returned postage and second mailing, i.e., three
mailing costs to one person.

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Vice President	Russ Monroe
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Secretary	Buddy Winiarz
Clerk	Ellis Walker

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MEMBERSHIP

- Please renew your membership within the ninety-day renewal period or you will be deleted from the membership list.
- All renewing members are provided a preaddressed renewal envelope, containing your membership data on the flap.

Please **DO NOT** over tape the flap.

- Write any address changes on an additional piece of paper and include within the renewal envelope
- Payment is by check or money order ONLY... please do not send cash. You may pay by cash if you attend a Membership meeting or train show at which the society has a presence.
- If you do not get society publications after renewing contact the society at the address below.
- Prior to moving, please notify the society to insure continued receipt of society publications, etc. Failure to do so requires additional expenditures to have returned mail forwarded to you if your new address becomes known.
- A RED DOT on your address label indicates that this is the last item you will receive from the Society, as you have not renewed within the allotted timeframe.
- All questions regarding your membership should be addressed to:

Membership
c/o B&MRRHS, PO Box 469
Derry, N.H. 03038

Buddy Winiarz, Membership Sec.

B&MRRHS Membership Dues

All values in US dollars. Dues are payable by check, money order, postal money order or cash. Sorry, but we are unable to accept charges. Please allow 4 to 6 weeks for processing.

Please send membership requests to:

B&MRRHS - Membership
PO Box 9116
Lowell, MA 01852-9116

Basic	\$30
Basic & Spouse	\$32
Contributing	\$35
Canada & Overseas	\$50
Sustaining	\$50
Supporting	\$75
Benefactor	\$100
Corporate	\$500

Treasurers, Membership and Models Report from November.

As of October 25, 2004 we had \$50,704.71 in the Savings and \$11,469.14 in the Checking accounts.

Membership stood at 1174.

The Society has B&M four quad hoppers with two numbers for sale.

December Meeting 2004:

The Treasurers Report as of November 24, 2004 had \$47,750.51 in the checking account and \$13,873.06 in the checking.

Newsletter was mailed and should be in the hands of members. Included was the B&MRRHS 2005 catalog.

A moment of silence was held as news of Director Wayne Gagnons father had passed away.

Paul A. Gagnon was an engineer for the B&M on the Portland Division and had service for the railroad from 1941 to 1984. Mr. Gagnon was a familiar sight on the B&M by his white hat. One of the highlights of Mr. Gagnons career was being at Nashua (N.H.) Union Station when the Red Wing derailed in 1954.

Cards of condolence may be sent to his wife Jacqueline Gagnon at 12 Skyview Dr. Nashua, NH 03062 or to Wayne Gagnon 445Pako Dr. Keene, NH 03431.

Membership programs from Nov/Dec

November saw Russ Monroe show action on the Boston & Maine on the former Marblehead and Swampscott branches and various areas around the North Shore of Boston.

December was Members night and we had several members show various railroading slides.

Ken Ackerboom from Ohio showed us an ex B&M wooden caoose in Malinta and Sidney, Ohio.

Jim Nigzus showed the Lowell Trolley line extension being built, a trolley being pulled by a B&M switcher to the North Billerica shops, a B&M local from Whitefield to Groveton and fan trips on the Concord & Claremont and from Concord, MA. to Acton, MA.

Richard Chase had a showing of railroading in the Susquehanna RR in Illinois, and various railroading in New York, California, Spokane, WA., Georgia, Vermont and Whitefield, NH.

John Rose had slides of the original Lyndeboroug, NH. steel trestle and the building of the new one.

Justin Winiarz had a video of the Lomar Rail Grinder in action at Ballardvale, MA., the Societys trip on the Wilton RR, East Broad Top RR, the Downeaster, some railroading in Ohio, Binghamton, NY and various other places.

JB Nethercutt, owner of exB&M Business Car 777 depicted in the last Newsletter recently passed away at 91.

New Hoosac Tunnel Website

Jerry Kelley has initiated a web site dealing with the Tunnel entitled "Hoosac Tunnel Then and Now". With both pictures and story it shows some of the lesser known aspects on the construction of the tunnel.

The following will get you to the site:

<http://mysite.verizon.net/vzeobc7t/>

Pan American Airlines Shuts Down, Fires 30 Pilots

By Jerry Miller

Union Leader Correspondent

Newington — Pan American Airlines, a subsidiary of Guilford Transportation, has gone out of business and fired its 30 union pilots. The carrier has transferred its flight operations to Boston-Maine Airways; another Guilford owned airline and a non-union operation.

(An) attorney for the Washington, D.C.-based Airline Pilots Association said yesterday, the decision to disband Pan Am amounted to "union busting" on the part of the parent company.

"Absolutely," responded Marcus Migliore, when asked if he and the 30 terminated pilots believe the carrier's action was an attempt to break the union. "They continue to do exactly what the court said they couldn't do under the Railway Labor Act."

Migliore said the terminated pilots were not given the option of flying for Boston-Maine and were told in an Oct. 14 letter from Pan Am that they would be terminated Oct. 31.

Migliore accused the carrier of defying a ruling, handed down recently by Concord-based U.S. District Court Judge Joseph DiClerico. In his ruling, the judge said Guilford's attempt to shift work from Pan Am to Boston-Maine is "a direct attempt to destroy a union."

In his late September order, DiClerico ordered Guilford to keep Pan Am flying and to restore the pay and working conditions to Pan Am pilots and crews, to the same level they were in July.

The judge also prohibited Boston-Maine from flying Pan Am's Boeing 727 aircraft and other larger jet aircraft on routes that had been flown by Pan Am.

Pan Am was also told it could not transfer its aircraft to Boston-Maine.

David Mullen, the Pease Development Authority's deputy director, said to the best of his knowledge, Pan Am's Pease-based maintenance, which also houses Guilford's corporate headquarters and Boston-Maine, remains operational and that the parent company continues to honor groups its contract with the PDA. Guilford's 20-year lease began Sept. 1, 1998, and will end Aug. 31, 2018.

Mullen acknowledges Pan Am, as an airline, is no longer flying from Pease.

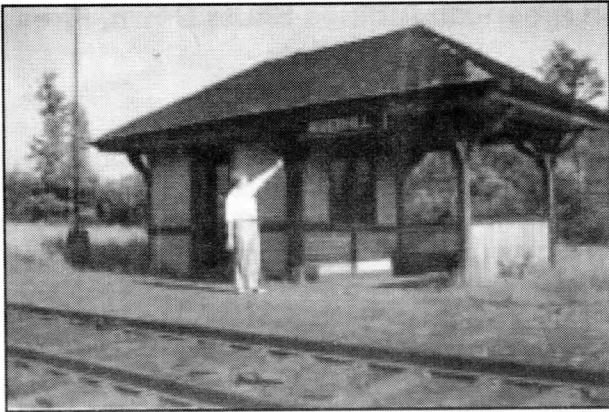
Mullen said at this time the Boston-Maine flight schedule from Pease Airport is "somewhat limited."

Boston-Maine has operated largely as a propeller driven, commuter carrier, while Pan Am handled longer distance jet and aircraft service.

Migliore said Boston-Maine is now using aircraft bearing the Pan Am logo, without telling the public that Pan Am is no longer in business.

Pan Am/Boston-Maine is the sole commercial carrier flying scheduled service to and from Pease. Guilford employs an estimated 300 workers at the tradeport, down from more than 400 a few years ago.

The Union Leader.



John Cropley, a retired B&M employee wrote that the Mystery Photo appearing in the Nov-Dec Newsletter was the 'wait station' at the River Hill stop on the "Penacook, NH, Concord-Clairemont Branch near Had's camp". Our thanks go to Mr. Cropley of Swampscott, MA for resolving the problem of 'Where Am I'.

On the personal note, Mr. Cropley noted that he has worked out of the Treasurer's Office (on Causeway St.) as a cashier. He covered the following areas 'paying off' as he says at locations such as Lowell, Billerica Shops, Concord and Manchester, NH, the Boston office, 'A' House, BET and well as Mystic Jct.

Blue Line extension plan gets \$322,000 in funding

By Anna Scott

A new infusion of cash has boosted hopes for an extension of the Blue Line subway branch to Lynn and maybe Salem.

The MBTA agreed last week to pay \$322,000 to finish a proposal aimed at winning federal money to build the Blue Line extension.

The project could cost more than \$800 million and will require a large amount of money from the federal government. The federal funding is still in doubt, but last week's decision by the MBTA keeps hope alive, said William Tinti, a Salem lawyer and chairman of the MBTA steering committee on the project.

"Without that, this would never be possible," Tinti said. About \$3 million has been spent on plans to extend the Blue Line, said Dennis DiZoglio, the MBTA's assistant general manager for planning and real estate. Options include extending the Blue Line from the Wonderland station in Revere to Lynn either next to the existing commuter rail tracks or along the oceanfront. The line might also be extended Salem or Swampscott, although DiZoglio said the city of Salem seemed unreceptive to that idea.

The MBTA expects to finish the proposal for federal funding, which includes a ridership and environmental-impact study, by the end of the year. But the Blue Line extension is competing with several other public transportation projects for money.

Even if the money were approved, construction wouldn't begin for another seven or eight years.

The Federal Transit Authority wouldn't fully approve the needed money until mid-2007, DiZoglio said. Construction would last four to five years after that. The studies looking into the Blue Line extension are paid for by the state and MBTA, as well as with federal money.

Salem Evening News

Submitted by Buddy Winiarz

3713 Restoration Project Receives 2nd Enhancement Award

The Lackawanna & Wyoming Valley Railway Historical Society learned early this summer that we had qualified for another Transportation Enhancement Award in the amount of \$ 343,000.00 to complete the restoration of Boston & Maine 3713. The award is part of a matching funds program, with the Society required to raise \$ 1.00 for every \$ 5.00 spent in the program. This means that we need to raise 20% or approximately \$ 69,000.00 to receive the full amount. This second award follows a previous award of \$ 250,000.00.

These funds will enable us to complete the project of restoring 3713. We have some of the funds we need to use the Enhancement Award, but will need additional help to complete this project. In addition to the two awards, we have received support from the National Park Service, which has paid for most of the labor done on the engine in 2004. We have also received nearly \$ 175,000.00 in donations from organizations and individuals.

Memorial Plaques Help Support 3713 Restoration

The Lackawanna & Wyoming Valley Railway Historical Society announces a special way to support the restoration of Boston & Maine 3713 and to recognize members of your family or close friends who have an interest in railroading. You can make a donation of \$ 150.00 to the restoration and have a special plaque erected on the wall of the Visitors Center at the Steamtown National Historic Site in Scranton, Pennsylvania. This plaque can honor the memory of a deceased relative who worked for a railroad anywhere in the United States, or possibly a living relative who has retired from active railroading. Visitors from across the United States and from around the world will be able to see this plaque with the name of someone you wish to honor for service to railroading. Plaques are also available for railroad enthusiasts, or for others who would like this special recognition for making a donation to restore 3713.

For more information about memorial plaques, contact the Society at: Memorial Plaques, P.O. 3453, Scranton, PA 18505-0452. You can also contact us at our website: www.laurellines.org

New Guilford Video

Dick Eisfeller announces that his Big E Productions has a new video available that covers Guilford operations in northern New England and is a sequel to his videos showing railroading in northern New England in 1997 and 2000. "Guilford Rail System in Northern New England 2004" shows the trains and operations of Guilford in the states of Maine, New Hampshire, and Vermont during the summer of 2004. Guilford's eclectic second hand roster still soldiers on through the woods and along the lakes and rivers in northern New England.

73 minutes in length and sells for \$30.95 in DVD-R format and \$25.95 in VHS. Order from Big "E" Productions, Greenland, NH 03840.

Saco Freight House Demolished

The freight house on the former B&M Eastern Div. at North Street in Saco was demolished recently due to its deteriorated condition by longtime owner Saco Brick Co.

From the society archives come Mystery Photos to challenge your knowledge of the B&M and its many locations over the years. If you think you know the location of the above location send either an email or snail mail message to the editor. This information is listed on page 1. If submitting your 'guess' via email be sure to enter 'Mystery Photo' in the subject line, otherwise my spam catcher could delete it. BW



Riding the rails with the General Court: On "Legislators' Day" in 1923, state government abandoned the halls of Beacon Hill and traveled west to "Mass. Aggie." (Here an entourage from the campus greets the senators and representatives at the ? train station.)

The Relationship Between B&M And MEC

By Tim Gilbert

Between 1932 and about 1951, the B&M and MEC may have had the same top management, but there was no stock ownership connection.

Freight operations were coordinated in Portland ME by the Portland Terminal Railroad which was owned by the MEC, but who took over the Portland operations of both the B&M and MEC in 1911.

Until the MEC Board chose separate management, diesel power was shared between the two roads to a much greater degree than steam. There were some Boston-Bangor run-throughs passenger trains, and freight was highly coordinated, but technically not run-throughs.

Caboose With A View

By Katharine Webster *The Union Leader*

North Conway - John and Nellie Egan are at the end of the line - and that's where they like it

The semiretired train conductor and his wife spend their summers in a remodeled caboose parked on a railroad siding, alongside other refurbished cabooses owned by trainmen and railroad buffs

In winter, the Egans live in a mobile home in Florida, but the caboose feels like John Egan's true home

"I lived half my life in the caboose anyway, working on the railroad, he said recently, as he relaxed with a beer and a cigarette on his back patio, a small concrete pad with a picnic table, a few chairs and a view of the White Mountains

Many old wooden cabooses - with windows, good insulation and cupolas or extended bay windows on the sides - have found second lives as everything from Pennsylvania motel cabins to cheese shops, railroad museums and private excursion cars

Still, this semi-permanent vacation community appears to be unique. The owners of about a dozen cabooses and one box car pay a modest rent to the Conway Scenic Railroad for their spots on the siding

Most of the cars have quick-release water, sewer and electricity hookups so they can be moved if necessary, but haven't been moved in years

Some of the cabooses have been completely remodeled, while others are basic accommodations whose owners use showers and toilets in the railroad's freight house and warm up their meals in microwaves

The Egans' caboose has its original heavy conductor's desk and simple cupola, but there are plenty of additions and improvements, a galley-style kitchen, a shower and toilet, a sitting area and beds

The Egans bought their Grand Trunk Railway caboose for \$850 in 1973. Egan was among a group of volunteers restoring engines, passenger cars and tracks to start the Conway Scenic Railroad, which takes tourists on short sightseeing trips in the Mount Washington Valley and the White Mountains. Egan, 77, grew up next to the railroad tracks in Gorham. As a teenager he worked in the train yard and the engine house, on the coal chute and on the track repair gang during summer vacation. Now Egan works as a conductor on the scenic railroad one day a week, more during the fall foliage season

Next door Don and Allison Audibert stay in a Central Vermont Railroad caboose they inherited from Don's brother Howard who bought it in 1974

The last car on the siding, a former, Bangor & Aroostook Railroad boxcar outfitted to carry Maine potatoes, once belonged to Don's other brother "Paul,

His most cherished memory is of an illicit handcar ride the three brothers and a friend took down the tracks from Crawford Notch to Arethusa Falls on a fall day in 1986. The Boston and Maine Railroad had recently ended freight service on the line and the Conway Scenic Railroad had not yet taken over

"We weren't worried about a train, but we were worried about inspectors maybe, or boulders on the track, or a washout," he said

Allison Audibert remembers the camaraderie in the caboose community a decade ago, when the brothers and their wives had retired and spent full summers there, living alongside volunteers and employees of the railroad.

The Audibert brothers renovated the caboose to include a full bathroom, seats up in the that convert to beds, a stacked washer and dryer, bookshelves, a compact kitchen and built-in dining table, and room with fold-out queen bed. It even has air conditioning, electric heat, carpeting hot and water.

Submitted by Buddy Winiarz

The Mystic Valley Railway Society is offering several trips in 2005 that will incorporate train and tourist attractions.

The 'Cherry Blossom Special', April 1-3 goes to the nation's capital while the Blue Ridge Flyer, April 16-23 ventures into the Blue Ridge Mountains of Virginia.

Details and costs can be found at their web site: WWW.MYSTICVALLEYERS.ORG, or by contacting them at Mystic Valley Railroad Society, P.O. Box 365486, Hyde Park, MA 02136-0009 or by phone at 617-361-4445.

If you partake of one of their trips be sure to let us know with a write up for the Newsletter.

Rockingham Jct. Station sold!

from Richard Roberg

"I received a report that the old B&M station at Rockingham Jct. was sold on Wednesday of this week.

"I took a ride there this morning and the windows have been covered with plywood, minor roof repairs have been done and apparently the inside has begun to be cleaned out, as a lot of the junk that was stored in the building is now outside in the driveway. Additionally, there are "Private Property – No Trespassing" signs posted.



"I don't know who the new owners are, but one report I have received is that they are looking to restore the station as closely as they can to it's better days, including platforms! I also heard they are looking for old photo's to help in this endeavor.

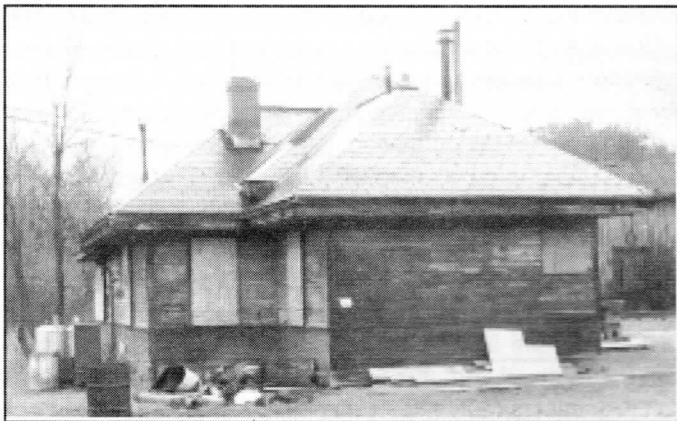
"Once completed, it may be available for lease."

Additional information from Jon Landry

The owners are Scott Osgood Bob Miller

"What they plan on doing is renting this out to a small company as an office. So far they have cleaned out the junk that was inside and boarded over the doors and windows. "They also cut down all the brush adjacent to it.

"One other thing Scott said is that the town will put up a street light on one of the poles nearby for security."



Happy 50th Birthday

Tom Person's The Salisbury Beach sleeper celebrated that event on the 9th of December. But it doesn't feel lonely as it feels the rumble of about 100 freight and passenger trains daily passes by at the Fullerton, CA, Amtrak station where the car is under restoration for eventual operation.

American Welding Society Selects Flying Yankee To Receive Historic Welded Structure Award

Officials from the Flying Yankee Restoration Group, located in Glen, NH, announced today (9/23/04) that the American Welding Society (AWS), which is based in Miami, FL, has selected the historic Flying Yankee passenger train to be the sole recipient of the American Welding Society prestigious Historic Welded Structure Award for 2004.

The AWS Historical Welded Structure award honors structures which are at least 35 years of age and have had a significant impact on history. The award celebrates advances made in welding and the importance the welding played in the development of key products. Other well-known recipients of this international award include the St. Louis Arch, the Hoover Dam, the Tokyo Tower, the USS Intrepid aircraft carrier, and the USS Nautilus submarine. The Flying Yankee will become the very first train of any type to receive the American Welding Society prestigious Historic Welded Structure award.

The AWS Historical Welded Structure award supports and promotes the realization of greater dreams, while reminding the public of the important role welding has in our lives, says Jim Greer, AWS president. Past recipients of the AWS Historical Welded Structure awards depict and showcase marvels of technology and ingenuity achieved through welding.

Built in 1935 by the E.G. Budd Company in Philadelphia, PA, engineers and builders of the Flying Yankee introduced Shot Welding to the manufacturing industry when they fabricated the stainless steel used in constructing the 3-car, diesel-electric passenger train. This unique Shot Welding technology not only revolutionized the manufacturing industry in 1935, but it is still in use today.

The presentation and celebration of the AWS Historic Welded Structure award will take place over a two-day period. The formal presentation of the Historic Welded Structure award will take place at the John O. Morton building on Hazen Drive in Concord, NH on Friday, October 8, 2004 at 1pm and will be open to invited guests and the media. Accepting the award on behalf of the owners of the train, the State of New Hampshire, will be NH Department of Transportation Commissioner Carol Murray. Joining Commissioner Murray in accepting the award will be the President of the Flying Yankee Restoration Group, Mr. R. Stoning Morrell. Also on hand for the presentation ceremonies in Concord will be AWS officials from Florida, New Hampshire and Vermont, members of the Flying Yankee Restoration Group, employees of the Claremont Concord Railroad, NHDOT officials, significant contributors, and invited guests.

For more information regarding the Flying Yankee restoration or the American Welding Society Historic Welded Structure award, visit the Flying Yankee website at www.flyingyankee.com, the AWS official web site at www.aws.org, or contact the Flying Yankee main office in Glen, NH by calling (603) 383-4186, ext. 117.

Submitted by David Rothoff

With all the discussions that have gone around regarding one's legal rights to take photos, the following is presented for your information - editor

Your Rights and Remedies When Stopped or Confronted for Photography

by Bert P. Krages
Attorney at Law

Updated July 2004

About this Guide

Confrontations that impair the constitutional right to make images are becoming more common. To fight the abuse of your right to free expression you need to know your rights to take photographs and the remedies available if your rights are infringed.

The General Rule

The general rule in the United States is that anyone may take photographs of whatever they want when they are in a public place or places where they have permission to take photographs. Absent a specific legal prohibition such as a statute or ordinance, you are legally entitled to take photographs. Examples of places that are traditionally considered public are streets, sidewalks, and public parks.

Property owners may prohibit photography on their premises, but have no right to prohibit others from photographing their property from other locations. Whether you need permission from property owners to take photographs while on their premises depends on the circumstances. In most places you may reasonably assume that taking photographs is allowed and that you do not need explicit permission. However, this is a judgment call and you should request permission when the circumstances suggest that the owner is likely to object. In any case, when a property owner tells you not to take photographs while on the premises, you are legally obligated to honor the request.

Some Exceptions to the Rule

There are some exceptions to the general rule. A significant one is that commanders of military installations can prohibit photographs of specific areas when they deem it necessary to protect national security. The US Department of Energy can also prohibit photography of designated nuclear facilities although the publicly visible areas of nuclear facilities are usually not designated as such.

Members of the public have a very limited scope of privacy rights when they are in public places. Basically, anyone can be photographed without their consent except when they have secluded themselves in places where they have a reasonable expectation, of privacy such as dressing rooms, rest rooms, medical facilities, and inside their homes.

Permissible Subjects

Despite misconceptions to the contrary, the following subjects can almost always be photographed lawfully from public places:

- Accident and fire scenes
- Children
- Celebrities
- Bridges and other infrastructure residential and commercial buildings industrial facilities and public utilities.
- Transportation facilities (e.g., airports)

- Superfund sites
- Criminal activities
- Law enforcement officers

Who Is Likely to Violate Your Rights

Most Confrontations are started by security guards and employees of organizations who fear photography. The most common reason given is security but often such persons have no articulated reason. Security is rarely a legitimate reason for restricting photography. Taking a photograph is not a terrorist act nor can a business legitimately assert taking a photograph of a subject in public view infringes on its trade secrets.

On occasion, law enforcement officers may object to photography but most understand that people have the right to take photographs and do not interfere with photographers. They do have the right to keep you away from areas where you may impede their activities or endanger safety. However, they do not have the legal right to prohibit you from taking photographs from other locations.

They Have Limited rights to Bother, Question, or detain you

Although anyone has the right to approach a person in a public place and ask questions, persistent and unwarranted conduct done without a legitimate purpose is a crime in many states if it causes serious annoyance. You are under no obligation to explain the purpose of your photography nor do you have to disclose your identity except in states that require so upon request by a law enforcement officer.

If the conduct goes beyond mere questioning all states have laws that make coercion and harassment criminal offenses. The specific elements vary among the states but in general it is unlawful for anyone to instill a fear that they may injure you, damage or take your property, or falsely accuse you of a crime just because you are taking photographs.

Private parties have very limited rights to detain you against your will and may be subject to criminal and civil charges should they attempt to do so. Although the laws in most states authorize citizen's arrest, such authority is very narrow. In general, citizen's arrest can be made only for felonies or crimes committed in the person's presence. Failure to abide by these requirements usually means that the person is liable for a tort such as false imprisonment.

They Have No right to confiscate Your Film

Sometimes agents acting for entities such as owners of industrial plants and shopping malls may ask you to hand over your film. Absent a court order private parties have no right to confiscate your film. Taking your film directly or indirectly, by threatening to use force or call a law enforcement agency can constitute criminal offences such as theft and conversion. Law enforcement officers may have the authority to seize film while making an arrest but otherwise must obtain a court order.

Your Legal Remedies if Harassed

If someone has threatened, intimidated, or detained you because you were taking photographs, they may be liable for crimes such as kidnapping, coercion, and theft. In such cases you should report them to the police.

You may also have civil remedies against such persons and their employers. The torts for which you may be entitled to compensation include assault, conversion, false imprisonment and violation of your constitutional rights.

Rights continued from pg. 7

Other Remedies If Harassed

If you are disinclined to take legal action there are still things you can do that contribute to protecting the right to take photographs.

- (1) Call the local newspaper and see if they are interested in running a story. Many newspapers feel that civil liberties are worthy of serious coverage,
- (2) Write to or call the supervisor of the person involved, or the legal or public relations department of the entity, and complain about the event.
- (3) Make the event publicly known on an Internet forum that deals with photography or civil rights issues.

How to Handle Confrontations

Most confrontations can be defused by being courteous and respectful. If the party becomes pushy, combative, or unreasonably hostile, consider calling the police. Above all use good judgment and don't allow an event to escalate into violence

In the event you are threatened with detention or asked to surrender your film, asking the following questions can help ensure that you will have the evidence to enforce your legal rights:

- 1 What is the person's name?
2. Who is their employer?
- 3 Are you free to leave? If no, how do they intend to stop you if you decide to leave? What legal basis do they assert for the detention?
4. Likewise, if they demand your film, what legal basis do they assert for the confiscation?

Disclaimer

This is a general education guide about the right to take photographs and is necessarily limited in scope. For more information about the laws that affect photography I refer you to my book, *Legal Handbook for Photographers* (Amherst Media, 2002).

This guide is not intended to be legal advice nor does it create an attorney client relationship. Readers should seek the advice of a competent attorney when they need legal advice regarding a specific situation.

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SW-1 Phases

By Scott Whitney & John

EMD SW-1 #1118 was the only Phase II SW-1 owned by the B&M and delivered in 1949 as a single-unit order. This was the least-common phase of SW-1s in general and combined the older-style (Phase I) cab with arched end windows with the later-style (Phase III) hood which had a continuous slope to the cab as opposed to being stepped. The B&M diagram in the B&MRRHS on-line archives indicates this unit had the optional side handrails that appeared on the later orders of EMD switchers that were delivered in road-unit maroon as opposed to switcher black and intended for use on local freights. John in NY

It was the last SW-1 delivered in the black scheme.

Much of the B&M's ordering practices of the time were dictated by the restrictions of World War II. As for the handrails, I could never understand the practice of NOT having them. Locomotive walkways are hostile enough in the winter with them, let alone without them

Guilford's Renumbering of the B&M's Buggies in the 1980's.

By Sean McInerney and Tim Gilbert

...research thus far is that 20 of the flattops were built for the B&M numbered C150-C169. These were not rebuilds (C100-C137) like the '59 but brand new cars. In fact 1960 is stenciled on the main center beam on C163.

The numbering got a little nutty in the 70's repainting with some getting numbered 415 and 410 and 419. It seems like 490 and up coincides with the C160 numbering. C150-159 may have gotten the lower numbers. But I'm still looking for more concrete information.

The rationale behind Guilford's replacing the "C" prefix with the number four in the 1980's:

Sometime prior to Guilford (when?), the C100-C137 series was renumbered into the C51-C83 series -...assume that five of the original 38 had been retired at the time of this renumbering - for instance, C126 had been destroyed in a derailment in Gerrish NH on 11/16/1972. Guilford had to replace the "C" prefix to buggy numbers with a numeric digit in order to enter the buggy data into the computers. They chose the number "four."

1) Thus, the surviving NE-5 buggies in the C1 through C10 (built in 1942) became #401-410.

2) Surviving N5b's assembled in 1932 were renumbered from C11 to C34 to #411-434;

3) Surviving NE-5's C40 through C49 (built in 1944) were renumbered into the #440-449 series (incidentally, the C36-C39 series was reserved for the four buggies rebuilt from milk cars in 1942-43, but these were numbered into the #103000-103003 series instead);

4) The surviving C51 through C83's renumbered into the #451-483 series.

That left the surviving Transfer Buggies to be renumbered. Since the Guilford computer system allowed only three digits, the numbers had to be different. Because of retirements in the C1 through C49, there were empty slots for some of the transfer buggies. If #410, #415 & #419 were numbers given to transfer buggies, then I would assume that buggies 10, C-15 & C19 had been retired before the "computer virus" hit the buggies.

Troop Sleepers On The B&M

By Roger Hinman and others

With the advent of models of the Pullman Troop Sleepers purchased by various railroads after the war the following information pertain to the road is presented.

As of 1/7/1954, all 42 of the baggage cars (#3225-3249 & #3260-3276) were equipped with Allied Full Cushion Trucks. #3182 had the "Chrysler" trucks while #3180 & #3181 had Andrews.

The RPO's #3180-3182 had one 6' 8" and one 2' 10" wide doors; the #3225-3249 series had one 7' wide door; and the #3260-3276 series had two 6' 8" wide doors.

#3225-3249 were built between January 1946 & May 1946; #3260-3276 were built between December 1943 and February 1944; and #3180-3182 were built between February & March 1944. #3225-3249 were sold to the B&M between July & December 1947; #3260-3276 were sold to the B&M between September & December 1948; and #3180-3182 sold to the B&M between May & September 1949.