

salary from the railway company over whose line of railway he has been acting or empowered to act as constable under this Act, or in the discretion of the magistrate before whom such offender may be convicted, *he may be* imprisoned in the gaol for the county or place in which such offence shall have been committed, with or without hard labor, for any time not more than one calendar month. 5

Punishment  
for assaulting  
or resisting  
Constables.

XVIII. Every person who shall assault or resist any constable appointed as aforesaid, in the execution of his duty, or who shall incite any person so to assault or resist, shall for every such offence be liable to a penalty, not more than ten pounds, or in the discretion of the magistrate before whom he shall be convicted, may be imprisoned in any such gaol as aforesaid, with or without hard labor, for any time not more than two calendar months. 10

Punishment  
for breaking  
open packa-  
ges, drinking  
or spilling  
liquors, &c., on  
any Railway,  
&c.

XIX. Every person who shall bore, pierce, cut open, or otherwise injure any cask, box, or package containing wine, spirits, or other liquors, or any case, box, sack, wrapper, package, or roll of goods, on board of any car, waggon, boat, vessel, or in or upon any warehouse, station-house, wharf, quay, or premises of or belonging to any such Railway Company, with intent feloniously to steal, or otherwise unlawfully to obtain or to injure the contents or any part thereof, or who shall unlawfully drink, or wilfully spill or allow to run to waste any such liquors or any part thereof, shall, for every such offence, be liable to a penalty not more than five pounds, over and above the value of the goods or liquors so taken or destroyed, or in the discretion of the magistrate before whom he shall be convicted, may be imprisoned as aforesaid, with or without hard labor, for any time not more than one calendar month. 20 25

Proceeding  
against offend-  
ers under this  
Act, may be  
according to  
16 V. c. 178.  
If these enact-  
ments are  
made general,  
corresponding  
provision  
should be made  
as to Lower  
Canada.

XX. For any offence against the provisions of this Act, punishable by summary conviction, it shall be lawful to proceed against the offender either in the manner provided by this Act, or according to the provisions of the Act passed in the sixteenth year of Her Majesty's reign, intituled, "*An Act to facilitate the performance of the duties of Justices of the Peace out of Session in Upper Canada, with respect to summary convictions and orders*," in regard to the acts and offences therein mentioned: and it shall be lawful to use, pursue and adopt any or all of the forms, directions, modes of procedure, remedies and proceedings (as well in regard to witnesses and parties as others) mentioned or provided in the last mentioned Act, in all complaints, persecutions, convictions, levies and proceedings for offences against this Act. 30 35 40

Appeal in  
cases of sum-  
mary convic-  
tion.

13, 14 V. c. 54.

XXI. In all cases of complaint by way of summary proceedings before a Justice of the Peace against any person for a violation of any of the provisions of this Act, all decisions, convictions and orders made by any Justice of the Peace, shall be subject to an appeal in the manner and subject to the provisions prescribed in the Act of Parliament of this Province, passed in the thirteenth and fourteenth years of Her Majesty's reign, intituled, "*An Act to extend the right of Appeal in certain cases in Upper Canada*." 45

Recital.

XXII. And whereas the Great Western Railway Company have, in the construction of their railway, encroached upon certain proposed 50