

An Act to amend the Railway Clauses Consolidation Act of 1851.

WHEREAS doubts have arisen as to the mode in which penalties shall be enforced for the infringement of the Railway Clauses Consolidation Act relating to the ringing of bells or sounding of whistles before crossing highways; Therefore Her Majesty, &c., enacts as follows: Preamble.

5 I. In every case of neglect or refusal to ring the bell or sound the whistle at any such crossing of highways as provided by the above recited Act, it shall and may be lawful for any Justice of the Peace, upon complaint on oath being made, to issue a summons under his hand and seal to the person having charge of the station nearest to where the offence was committed, Nearest Station Master to answer on behalf of the Company.
10 requiring him to appear on behalf of the Company.

II. Upon proof by one or more credible witness of any such neglect or refusal, it shall and may be lawful for such Justice to issue his order for the payment of the penalty so imposed by the above recited railway Act, and in default of immediate payment, or at such time as shall be Mode of enforcing the penalty.
15 specified in said order, it shall and may be lawful for such Justice to issue his warrant under his hand and seal against the goods and chattels of the railway company, directing that after four days public notice of the time and place, such goods and chattels be sold by public auction: and after deducting the amount of such penalty and the costs attending such order
20 and sale, the overplus, if any, shall be returned on demand to the agent or person in charge of the said station and acting on behalf of such company.

III. The said Justice shall pay over the amount of penalty so imposed to the party complaining, except where such party is examined in proof of Application of the penalty.
25 the offence, in which case it shall be paid to the Treasurer of the Municipality in which the offence was committed, and form part of the funds of such Municipality.