

**An Act for the punishment of the Officers and Servants of Railway Companies contravening the By-laws of such Companies, to the danger of person and property, and for other purposes relative to Railways.**

**W**HEREAS it is necessary to adopt means for preventing, as far as possible, the great risk and damage to life and property which frequently arise from the non-observance by the officers and servants of Railway Companies of the By-laws and Regulations made for their guidance ; Therefore Her Majesty, &c., enacts as follows :

Preamble.

1. If any officer or servant of, or person employed by, any Railway Company shall wilfully or negligently contravene any By-law or Regulation of such Company lawfully made and in force, and of which a copy shall have been delivered to him, or shall have been posted up or open to his inspection in some place where his work or his duties, or any of them, are to be performed, then if such contravention shall cause injury to any property or to any person, or shall expose any property or any person to the risk of injury, or render such risk greater than it would have been without such contravention, although no actual injury shall occur, such contravention shall be a misdemeanor, and the person convicted thereof shall be liable, in the discretion of the Court before whom the conviction shall be had, and according as such Court shall consider the offence proved, to be more or less grave, or the injury or risk of injury to person or property to be more or less great, to be punished by fine or imprisonment, or both, so as no such fine shall exceed term of years ; and such imprisonment, if for two years or upwards, shall be in the Provincial Penitentiary :

Punishment for contravening Regulations to the injury or danger of persons or property.

And if such contravention shall not cause injury to any property or person, nor expose any person or property to the risk of injury, nor make such risk greater than it would have been without such contravention, then the officer, servant or other person guilty thereof, shall thereby incur a penalty not exceeding the amount of days pay, nor less than days pay of the offender from the Company, in the discretion of the Justice of the Peace before whom the conviction shall be had ; and such penalty shall be recoverable with costs before any one Justice of the Peace having jurisdiction where the offence shall have been committed, or where the offender shall be found, on the oath of one credible witness other than the informer ; and one moiety of such penalty shall belong to Her Majesty for the public uses of the Province, and the other moiety to the informer, unless he be an officer or servant of, or person in the employ of, the Company, in which case he shall be a

And if such contravention do not cause such injury or risk.