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No. 165.

3rd Session, 5th Parliament, 20 Victoria, 1857.

BILL.

An Act to prevent accidents on Railways in
this Province.

Received and read, first time, Thursday, 26th
March, 1857.

Second Reading, Thursday, 2nd April, 1857.

Mr. ROBLIN.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to prevent accidents on Railways in this Province.

WHEREAS the straying of cattle on public highways, intersected or touched by Railways, often causes accidents greatly endangering the lives of passengers, and the destruction of property, and also tends to impair the usefulness of such Railways; And whereas it is necessary for the safety of travellers and others that a remedy should be provided; Therefore Her Majesty, &c., enacts as follows:

Preamble.

I. So much of any Act or law now in force in this Province as may be inconsistent with the enactments hereinafter made, shall be repealed by the passing of this Act.

Inconsistent enactments repealed.

II. From and after the passing of this Act, horses, cattle, sheep, goats, swine and other animals, shall not be allowed to run at large on any public or other highway, intersected, crossed or touched by any railway in this Province, nor on any public road or highway which is not so touched, crossed or intersected, within four miles on either side of any railway.

Animals not to be at large on roads near Railways.

III. Any such cattle, horses, sheep, goats or other animals found so running at large or straying on any such highway may, by any person or persons, be impounded in the public Pound nearest to the place at which they shall be found so straying; and for each animal so impounded the owner or person claiming such animal or animals impounded shall, before he shall get the same out of such pound, pay the sum of two shillings and sixpence per head to the Poundkeeper over and above the usual charges allowed to such Poundkeeper by the By-laws of the Municipality in which the pound is situate in other cases; and the said Poundkeeper shall, after the receipt of the same, when required, pay over the same to the person or persons so impounding said animal or animals, for their own use, and shall be also entitled to charge and take such fees for impounding such cattle, horses, sheep, goats, swine and other animals, as in other cases are fixed by such By-laws as aforesaid.

Such animals may be impounded, and not released except on payment of an additional fine, belong to the person impounding them.

IV. In all cases where cattle, horses, sheep, goats, swine and other animals are impounded under this Act, in case default is made in payment of the amount mentioned in the preceding section and the Poundkeeper's fees as aforesaid, the same proceedings shall be had to collect the same as are now or may hereafter be used in other cases, where cattle, horses, sheep, goats, swine or other animals are taken and impounded for doing damage contrary to law in the respective Municipalities in which such cattle, horses, sheep, goats, swine or other animals may be so impounded under this Act, with the exception of the proceedings which are taken to fix the amount of damages to be paid.

Recovery of such fines if not paid.

Pound-keepers
bound to col-
lect and pay
over the fine.

V. Any Poundkeeper with whom any animal so found running at large contrary to this Act is impounded, is hereby required to take such proceedings as aforesaid to enforce payment of the fine and his fees, and when by sale or otherwise made, to pay over the said fine so levied and made to the person or persons so impounding the animal or animals so found running at large as aforesaid. 5