

1st Session, 4th Parliament, 16 Victoria, 1853.

BILL.

An Act to indemnify the Brock Monument Building Committee, and for other purposes therein mentioned.

Received and Read a first time, Thursday, 24th
March, 1853.

Second Reading, Wednesday, 30th March, 1853.

SIR ALLAN N. MACNAB.

QUEBEC:

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

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1852-3.]

BILL.

[No. 319.]

An Act to indemnify the Brock Monument Building Committee, and for other purposes therein mentioned.

WHEREAS divers persons have, by subscription among them- Preamble.
 selves, raised a sum of money for the purpose of rebuilding
 the Monument to the late General Sir Isaac Brock, on Queenston
 Heights, which had been maliciously destroyed by gunpowder,
 5 and certain persons from among them have acted as a Committee
 for the purpose of superintending the expenditure of the money
 so raised and the rebuilding of the said Monument, and it is right
 to indemnify them against any loss or responsibility which they
 might otherwise incur by any accident to or malicious attempt to
 10 destroy the said Monument; Be it therefore enacted, &c.,

That no person who has acted or shall hereafter act as a Member Members of
 of the said Committee, shall be personally responsible or liable the Committee
 for any accident which may happen to the said Monument or for any not person-
 injury it may sustain from any malicious attempt to destroy, deface ally liable for
 15 or injure it. accidents, &c.,
 to the Monu-
 ment.

II. And be it enacted, That whosoever shall wilfully set fire to Punishment of
 any gunpowder or other explosive or combustible substance or persons injur-
 material in or in contact with or in close proximity to the said Monu- ing or at-
 ment or any fence or work therewith connected, with intent to tempting to
 20 destroy or injure the said Monument, fence or work, shall be guilty injure the said
 of felony, and being convicted thereof shall be liable, in the discre- Monument.
 tion of the Court before which the conviction shall take place, to
 be imprisoned at hard labour in the Provincial Penitentiary, for the
 term of his natural life or for any term not less than seven years, or
 25 to be imprisoned in any other prison or place of confinement for
 any term not exceeding two years, and if any other person be in
 the said Monument at the time of the commission of such felony
 or so near thereto that his life is endangered by such felony, or he
 be killed or maimed by reason thereof, then the offender being
 30 convicted shall suffer death; and any attempt to commit such
 felony by placing in or in contact with or in close proximity to the
 said Monument, fence or works, any gunpowder or other explosive
 or combustible material, or the doing of any wilful injury to
 the same in any way, shall be a misdemeanor punishable by fine
 35 or imprisonment or both in the discretion of the Court before
 which the offender shall be convicted: and if any indictment or
 prosecution or trial for any offence against this Act, it shall not be
 necessary to allege or to prove that the said Monument, fence or
 other work were the property of any person, or to describe the
 40 same otherwise than they are described in this Act.