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

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BILL.

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

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

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Second Reading, Wednesday, 30th March, 1853.

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SIR ALLAN N. MACNAB.

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QUEBEC:

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

1852-3.]

**B I L L .**

[No. 319.

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

**W**HÈREAS divers persons have, by subscription among them-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 of the said Committee, shall be personally responsible or liable for any accident which may happen to the said Monument or for any injury it may sustain from any malicious attempt to destroy, deface 15 or injure it.

Members of  
the Committee  
not personna-  
lly liable for  
accidents, &c.,  
to the Monu-  
ment.

II. And be it enacted, That whosoever shall wilfully set fire to any gunpowder or other explosive or combustible substance or material in or in contact with or in close proximity to the said Monument or any fence or work therewith connected, with intent to 20 destroy or injure the said Monument, fence or work, shall be guilty of felony, and being convicted thereof shall be liable, in the discretion 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.

Punishment of  
persons injur-  
ing or at-  
tempting to  
injure the said  
Monument.