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

BILL.

**An Act to amend the General Railway
Clauses Consolidation Act.**

Received and read a first time, Wednesday, 9th
March, 1853.

Second reading, Thursday, 10th March, 1853.

Hon. Mr. BADGLEY.

QUEBEC :

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

An Act in addition to the General Railway Clauses Consolidation Act.

WHEREAS it is necessary to make provision for the protection of persons and property passing over Railways from criminal attempts to injure the same: Be it therefore enacted, &c.,

Preamble.

5 That if any person shall wilfully and maliciously displace or remove any Railway switch or rail of any Railroad, or break down, rip up, injure or destroy any Railroad track or Railroad bridge or fence of any Railroad, or any portion thereof, or place any obstruction whatsoever on any such rail or Railroad track, or bridge, with
 10 intent thereby to injure any person or property passing over or along such Railroad, or to endanger human life, every such person so offending, shall be guilty of a felony, and shall be punished by imprisonment with hard labor in the Common Gaol of the Territorial Division in which such offence shall be committed or tried,
 15 for any period not exceeding one year from conviction thereof; and if in consequence of such act done with the intent aforesaid, any person so passing over and along such Railroad, shall actually suffer any bodily harm, or any property passing over and along such Railroad shall be injured, such suffering or injury shall be an
 20 aggravation of the offence, and shall render such offence a felony, and shall subject the said offender to such punishment by imprisonment in the Provincial Penitentiary for not less than one year nor more than two years, as the circumstances of the case may, in the opinion of the Court before which he shall be convicted, ap-
 25 pear to be proportionate to the offence and the mischief occasioned by it.

Punishment of persons doing any thing to a Railway with intent to injure persons or property.

And if such damage be actually done.

II. And be it enacted, That if any person shall wilfully and maliciously displace or remove any Railway switch or rail of any Railroad, or shall break down, rip up, injure or destroy any Railroad track or Railroad bridge or fence of any Railroad or any
 30 portion thereof, or place any obstruction whatever on any such rail or Railroad track or bridge, or shall do or cause to be done any act whatever whereby any engine, machine or structure, or any matter or thing appertaining thereto shall be stopped, ob-

And if any person be killed or his life be lost.

structed, impaired, weakened, injured or destroyed, with intent thereby to injure any person or property passing over or along such Railroad, and if in consequence thereof any person be killed or his life be lost, such person so offending shall be deemed guilty of manslaughter, and being found guilty, shall be punished 5 by imprisonment in the Provincial Penitentiary for any period not more than ten nor less than four years.

Committing any injury, stoppage &c. to be a misdemeanor.

III. And be it enacted, That if any person shall wilfully and and maliciously do or cause to be done, any act whatever whereby any building, fence, construction or work of any such Railroad, 10 or any engine, machine or structure of any such Railroad, or any matter or thing appertaining to the same shall be stopped, obstructed, impaired, weakened, injured or destroyed, such person so offending shall be guilty of a misdemeanor, and punished by imprisonment with hard labor not exceeding one year, in the 15 Common Gaol of the Territorial Division in which such offence shall have been committed or tried.

Railways exempted from local taxes.

IV. And be it enacted, That from and after the close of the year one thousand eight hundred and fifty-three, no Railway Company having, holding or using any Railway in this Pro- 20 vince, whether such Railway be fully constructed or in course of construction only, and no Railway or the lands and immoveable or moveable property thereof, or any portion of the same, shall be subject to any charge, assessment or rate for Municipal or local purposes as the case may be, in any District, County, 25 Parish or Township, or Union of the same, or other Territorial Division in this Province.

Commissioner of Public Works may extend the time allowed for deposit of plans, &c.

V. And be it enacted, That notwithstanding any thing in the said General Act, or in any Act or Special Act heretofore passed or that hereafter may be passed, incorporating any Railway Company, 30 wherein provision is made for the deposit of surveys, maps and books of reference, in the offices of the Clerks of the Peace and the Secretary of the Province, or in any other place, and wherein a time is specified in any such Act for such deposit, and where such time has elapsed or the Company may have omitted to make 35 such a deposit, such Company may extend the period for depositing such surveys, maps and books, absolutely for one year from the passing of this Act, and may from time to time for such period as shall not exceed in the whole one year thereafter, have the said period extended for depositing such surveys, maps and books, by 40 an order under the hand of the Chief Commissioner of Public Works, and all surveys, maps and books deposited within the said year after the passing of this Act or within the time specified in such order, shall be taken to be as valid and effectual to all intents and

purposes, as if the same had been duly deposited within the time mentioned in any such Act of Incorporation as aforesaid, and any such omission within such extension, shall not be taken to work any forfeiture of the Charter of any such Company.

5 VI. And be it enacted, That the Interpretation Act shall apply to this Act, and that this Act shall be a Public Act. Public Act. Interpretation.

VII. And be it enacted, That the provisions of this Act shall from the passing thereof apply to every Railroad made or or to be made in this Povince. Extent of Act.