

ACT No. LII OF 1860.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor-General on the 26th December 1860.)

An Act to amend Act XVIII of 1854 (relating to Railways in India.)

WHEREAS it is expedient to amend the law relating to offences declared
to be punishable under Act XVIII of 1854 (*relating to*
Preamble. *Railways in India*) on conviction before a Justice of the
Peace for any of the Presidency Towns of Calcutta, Madras, and Bombay ;
It is enacted as follows :—

I. If any person is charged before a Police Magistrate of a Presidency
Town with committing any offence which under Section
Police Magistrate may in certain cases try offences punishable under Sections XXVII and XXVIII Act XVIII of 1854 with imprisonment. XXVII or Section XXVIII of Act XVIII of 1854 is punishable on conviction with imprisonment, and if such Police Magistrate shall deem it probable that, in consequence of the probable departure of any material witness from the local limits of the jurisdiction of such Magistrate, the prosecution of such offender by indictment in the Supreme Court will be ineffectual, such Magistrate may try the offender, and on conviction may award a sentence not exceeding six months imprisonment with or without hard labor.

II. The jurisdiction given to Police Magistrates under the foregoing
Section may, be exercised whether the offence shall be
Extent of jurisdiction. charged to have been committed within the local limits of the jurisdiction of such Magistrates or not, and any person hereby made punishable by a Police Magistrate shall be punishable upon summary conviction, but such jurisdiction shall only be exercised if the witnesses necessary for the prosecution of the offender are to be found within the local limits of the jurisdiction of the Police Magistrate before whom the offender is charged.

III. This Act shall be taken to be, and shall be read as part of Act XVIII
Construction. of 1854.