



Malicious Damage Act 1861

1861 CHAPTER 97

Injuries to Mines

26 Setting fire to a Coal Mine.

Whosoever shall unlawfully and maliciously set fire to any Mine of Coal, Cannel Coal, Anthracite, or other Mineral Fuel, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

27 Attempting to set fire to a Mine.

Whosoever shall unlawfully and maliciously by any overt Act attempt to set fire to any Mine, under such Circumstances that if the Mine were thereby set fire to the Offender would be guilty of Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

28 Conveying Water into a Mine, obstructing the Shaft, &c.

Whosoever shall unlawfully and maliciously cause any Water to be conveyed or run into any Mine, or into any subterraneous Passage communicating therewith, with Intent thereby to destroy or damage such Mine, or to hinder or delay the working thereof, or shall with the like Intent unlawfully and maliciously pull down, fill up, or obstruct, or damage with Intent to destroy, obstruct, or render useless, any Airway, Waterway, Drain, Pit, Level, or Shaft of or belonging to any Mine, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than

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Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary, Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping: Provided that this Provision shall not extend to any Damage committed underground by any Owner of any adjoining Mine in working the same, or by any Person duly employed in such working.

29 Damaging Steam Engines, Staiths, Waggon ways, &c. for working Mines.

Whosoever shall unlawfully and maliciously pull down or destroy, or damage with Intent to destroy or render useless, any Steam Engine or other Engine for sinking, draining, ventilating, or working, or for in anywise assisting in sinking, draining, ventilating, or working any Mine, or any Appliance or Apparatus in connexion with any such Steam or other Engine, or any Staith, Building, or Erection used in conducting the Business of any Mine, or any Bridge, Waggon way, or Trunk for conveying Minerals from any Mine, whether such Engine, Staith, Building, Erection, Bridge, Waggonway or Trunk be completed or in an unfinished State, or shall unlawfully, and maliciously stop, obstruct, or hinder the working of any such Steam or other Engine, or of any such Appliance or Apparatus as aforesaid, with Intent thereby to destroy or damage any Mine, or to hinder, obstruct, or delay the working thereof, or shall unlawfully and maliciously wholly or partially cut through, sever, break, or unfasten, or damage with Intent to destroy or render useless, any Rope, Chain, or Tackle, of whatsoever Material the same shall be made, used in any Mine, or in or upon any inclined Plane, Railway or other Way, or other Work whatsoever, in anywise belonging or appertaining to or connected with or employed in any Mine or the working or Business thereof, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.