



Malicious Damage Act 1861

1861 CHAPTER 97

Injuries to Railway Carriages and Telegraphs

35 Placing Wood, &c. on Railway with Intent to obstruct, or overthrow any Engine, &c.

Whosoever shall unlawfully and maliciously put, place, cast, or throw upon or across any Railway any Wood, Stone, or other Matter or Thing, or shall unlawfully and maliciously take up, remove, or displace any Rail, Sleeper, or other Matter or Thing belonging to any Railway, or shall unlawfully and maliciously turn, move, or divert any Points or other Machinery belonging to any Railway, or shall unlawfully and maliciously make or show, hide or remove, any Signal or Light upon or near to any Railway, or shall unlawfully and maliciously do or cause to be done any other Matter or Thing, with Intent, in any of the Cases aforesaid, to obstruct upset, overthrow, injure, or destroy any Engine, Tender, Carriage, or Truck using such Railway, 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, if a Male under the Age of Sixteen, with or without Whipping.