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PROTECTION OF RAILWAY LOCOMOTIVES OR CARS, ETC.

FEBRUARY 3, 1896.—Referred to the House Calendar and ordered to be printed.

Mr. BRODERICK, from the Committee on the Judiciary, submitted the following

REPORT:

[To accompany H. R. 5379.]

The Committee on the Judiciary, to whom was referred House bill 1237, have had the same under consideration, and report the same back to the House with the following as a substitute, and recommend that the substitute do pass:

A BILL making it unlawful to shoot at or into any railway locomotive or car, or at any person thereon, or to throw any rock or other missile at or into any locomotive or car, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who, in the Indian Territory, shall willfully and maliciously shoot at or into any locomotive, caboose, postal car, passenger coach, express, or baggage car of any railway train, or at any person thereon, or shall throw any rock or other missile at or into any locomotive, caboose, postal car, passenger coach, express, or baggage car of any railway train, or at any person thereon, or shall derail, or attempt to derail, any locomotive, or train, shall be deemed guilty of a felony, and on conviction thereof shall be sentenced to imprisonment at hard labor in the penitentiary for any time not more than twenty years: *Provided,* That if any person shall be killed, either directly or indirectly, by reason of said shooting, throwing, or derailing, the person causing the death shall be deemed guilty of murder, and upon conviction thereof shall be punished accordingly.

SEC. 2. That any person who, in the Indian Territory, shall willfully shoot at or into any freight, stock, postal, baggage or other car of any railway train, whether such car is attached to a locomotive or not, or shall throw a stone or any other missile at or into such car, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not exceeding ninety days, or by fine not exceeding three hundred dollars, or by both such fine and imprisonment.