ANNO UNDECIMO & DUODECIMO

# VICTORIÆ REGINÆ.

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## *Cap.* lii.

## An Act to enable the *Dundee and Perth* Railway Company to make a Junction Line of Railway into the Royal Burgh of *Dundee*.

[22d *July* 1848.]

WHEREAS an Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled "The *Dundee and Perth* Railway Act, 1845," whereby a Company was incorporated by the Name of "The *Dundee and Perth* Railway Company," with Power to make a Railway from *Dundee* to *Perth*: And whereas the said Act hath been amended by Two other Acts passed respectively in the Ninth and Tenth and Tenth and Eleventh Years of the Reign of Her said Majesty: And whereas it would be of public Advantage if the said Company were authorized to make a Junction Line of Railway into the Royal Burgh of *Dundee*, from a Point on their Main Line at the *Sea Braes* in the Parish of *Dundee*, to connect their Undertaking with an Undertaking of the *Dundee and Arbroath* Railway Company, with proper Stations and other Works and Conveniences in connexion therewith: And whereas the said *Dundee and Perth* Railway Company are desirous of carrying into effect the Objects aforesaid, if authorized by Parliament: May it therefore please Your Majesty that it may be enacted;

8 & 9 Vict. c. 157.

enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Provisions, Matters, and Things contained in or incorporated with "the said *Dundee and Perth* Railway Act, 1845," and in the several other special Acts relating to the Company passed respectively in the Ninth and Tenth and in the Tenth and Eleventh Years of the Reign of Her present Majesty, in so far as the same are or may be applicable and are now in force, and except such of them as are by this Act repealed, altered, or otherwise provided for, or as are inconsistent with the "Lands Clauses Consolidation (*Scotland*) Act, 1845," and the "Railways Clauses Consolidation (*Scotland*) Act, 1845," shall extend to this Act, and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the said Provisions were repeated and re-enacted in this Act in reference to such Purposes, Matters, and Things.

Extending Acts relating to the Dundee and Perth Railway Company to this Act.

II. And be it enacted, That so much of the "Lands Clauses Consolidation (*Scotland*) Act, 1845," and of the "Railways Clauses Consolidation (*Scotland*) Act, 1845," as are applicable and are not modified by this Act, or inconsistent with the Provisions hereof, shall be held to apply to the Railway authorized to be made by this Act, and shall be read and construed as forming Part of this Act.

Powers of 8 & 9 Vict. cc. 19. and 33. extended to this Act.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Deeds, Instruments, and Proceedings, and Parliamentary Notices, it shall be sufficient to use the Expression "The *Dundee and Perth* Railway (*Dundee Junction*) Act, 1848."

Short Title.

IV. And for the Purpose of providing Funds for the Purposes of the Undertaking contemplated by this Act, be it enacted, That it shall be lawful for the Company from Time to Time to raise, in addition to any Sums which they are already authorized to raise, or which they may be authorized to raise by any other Act to be passed in the present Session of Parliament, any further Sums of Money not exceeding in the whole the Sum of One hundred and fifty thousand Pounds, by the Creation of new Shares or Stock, upon such Terms and in such Manner as may have been or may be agreed upon at any General Meeting or Meetings of the Company; provided always, that it shall not be lawful for the Company to guarantee any Rate of Interest or Dividend exceeding Ten Pounds *per Centum* on such new Shares or Stock; and the new Shares or Stock created by the Company by virtue of this Act shall become Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital, except as to the Amount of such Shares, and except also as to the Time of making and of Payment of Calls on such new Shares, which the Directors of the said Company shall fix from Time to Time as they shall think fit; provided always, that Three Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on any such Shares, and there shall be an Interval

Power to raise additional Capital by Creation of new Shares.

Interval of Two Months at the least between the Time fixed for the Payment of One Call and the Time fixed for the Payment of the next succeeding Call, and that all and every Part of the Monies hereby authorized to be raised shall, when so raised, be applicable only to the Objects and Purposes by this Act authorized.

Votes of Proprietors of new Shares.

V. And be it enacted, That the Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them unto if they had been possessed of original Shares in the said Company.

As to Dividends on new Shares.

VI. Provided always, and be it enacted, That no Proprietor of any new Share by this Act authorized to be created shall be entitled to any further or greater Dividend thereon than in respect of or to the Extent of the Amount which may for the Time being have been paid up on such new Share.

Power to borrow Money on Mortgage.

VII. And be it enacted, That after the whole of the Sums by this and the said recited Acts authorized to be raised by them shall have been subscribed, and One Half thereof paid up, it shall be lawful for the Company to borrow on Mortgage such Sums of Money as shall from Time to Time be authorized to be borrowed by General or Extraordinary General Meetings of the said Company, not exceeding in the whole the Sum of Fifty thousand Pounds, exclusive of the Sums which they are authorized to borrow by the said recited Acts, or which they may be authorized to borrow under or by virtue of any other Act to be passed in the present Session of Parliament, and to secure the Repayment of the Money so to be borrowed, with Interest, in like Manner and subject to the same Provisions as the Money authorized to be raised by Mortgage by the said recited Acts: Provided always, that all and every Part of the Monies authorized to be borrowed under the Authority of this Act shall, when so borrowed, be applicable only to the Objects and Purposes by this Act authorized.

Former Mortgages to have Priority.

VIII. Provided always, and be it enacted, That all Mortgages or Bonds or Guarantees of Interest or Dividends on Shares or Stock made or granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over any Mortgages or Bonds or Guarantees of Interest or Dividends on such new Shares or Stock respectively to be made or granted by virtue of this Act.

Mortgages and Transfers, &c. to be stamped.

IX. And be it enacted, That every Mortgage, Bond, or other Security for Money, and every Transfer of any Mortgage, Bond, or other Security for Money, to be granted or made by virtue of the said recited Acts or this Act, shall be by Deed duly stamped, wherein the Consideration for the same shall be duly stated, anything herein or in the said Acts contained to the contrary notwithstanding.

Interest not to be paid on Calls paid up.

X. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said

said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation (*Scotland*) Act, 1845, in that Behalf contained.

Deposits for future Bills not to be paid out of the Company's Capital.

XI. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Line of Railway and Works.

XII. And be it enacted, That the Railway and Works to be made under the Authority of this Act shall be the following; (that is to say,) a Railway commencing by a Junction with the Main Line of the *Dundee and Perth* Railway at or near to the *Sea Braes* in the Parish of *Dundee* and terminating in the unembanked Area or Space of the Bed of the River *Tay* cut off from the said River by *Dock Street* of *Dundee* and the *Dundee* and *Arbroath* Railway and the Docks of *Dundee*, at or about Two hundred and ninety Yards Eastward from the Lane or Street called *Trades Lane* of *Dundee*, and at or about Fifty Yards Northward from *Dock Street* of *Dundee* in the Parish of *Dundee*, together with all proper Stations, Depôts, Sheds, Warehouses, and other Works and Conveniences connected therewith.

Power to make Branch Railways and Works according to deposited Plans.

XIII. And whereas Plans and Sections of the Railway and Works by this Act authorized, showing the Lines and Levels thereof, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass or be made, have been deposited in the Offices of the Principal Sheriff Clerk of the County of *Forfar* at *Forfar* and at *Dundee*; be it enacted, That, with the Powers and subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the Company to make and maintain the said Railway and Works on the Lines and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes of the said Railway and Works.

Power to Admiralty to order local Survey.

XIV. And be it enacted, That if after working Drawings of the Works hereby authorized shall have been submitted to the Lord High Admiral of the United Kingdom, or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by

by him or them to order a local Survey and Examination of such Works or of the intended Site thereof, the Company shall defray the Costs of such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

Company to embank Ground in passing through the Area of the Tay, &c. as shall be required by the Commissioners of Woods, &c.

XV. And whereas the Works hereby authorized are intended in part to pass and be made over and upon certain Spaces or Areas of the Bed or Shore of the River *Tay* which have been cut off from the said River, and from the Stagnation of Water within Portions of the said Spaces or Areas, and other Causes, the same have become injurious to the public Health, and it is expedient that they should be filled up and embanked in such a Manner as to remove or abate the said Nuisance; be it enacted, That the Company shall and they are hereby required, at their own Costs and Charges, and within Three Years from the passing of this Act, to fill up and embank all such Portions of the Spaces or Areas aforesaid to such Level or Height, and also to construct and maintain all such Drains and Sewers through or under the same, all in such Manner and upon and subject to such Conditions and Stipulations as the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall from Time to Time think necessary and direct, and generally to the Satisfaction and Approval of Her Majesty's said Commissioners.

Company to form a Road.

XVI. And be it enacted, That the Company shall within Three Years from the passing of this Act construct and maintain a good and sufficient Carriage Road of not less than Thirty Feet in Breadth, together with a convenient Footpath by the Side thereof, upon and along the North Side of the Railway and Works hereby authorized, such Road and Footpath to extend in an Easterly Direction from *Trades Lane* to the Termination of the Railway and Works hereby authorized, and to be constructed at such Level below the Level of *Dock Street* aforesaid in connexion with *Trades Lane*, and generally in such Line and Manner as the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall fix and direct.

Powers to Commissioners of Woods, &c. to make Agreements.

XVII. And be it enacted, That it shall be lawful for the said Commissioners, with the Consent of the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three of them, and for the Company, to enter into and execute any Agreement in relation to the aforesaid Spaces or Areas of the Bed or Shore of the River *Tay*, and the same when so entered into and executed shall be binding and obligatory on the Parties thereto for the Purposes which may be therein expressed: Provided always, that such Agreement shall not be inconsistent with or repugnant to the Provisions of this Act.

Saving Rights of

XVIII. And be it enacted, That nothing herein contained shall prejudice or affect the Rights and Titles (if any) of any Party or Parties

**Parties having an Interest in the Shore of the Tay.**

Parties in or to the Spaces or Areas of the Bed or Shore of the River *Tay* so to be filled up and embanked as aforesaid: Provided always, that the Party having Right to the same shall only be entitled to obtain Possession of such Portions thereof as the Company may have filled up and embanked, and as shall not be required for the Railway and Works, upon repaying to the said Company the Sums expended by them in filling the Portions of which such Parties shall obtain Possession, together with a reasonable Allowance in respect of the Benefit of Drainage, as the said Sums and Allowance shall be fixed and determined by the said Commissioners; and the Party or Parties shall be bound to institute proper Proceedings for establishing their Right and Title within the Space of Twelve Months from the Date of the passing of this Act; reserving always the Rights (if any) of all Parties under the "Lands Clauses Consolidation (*Scotland*) Act, 1845," to Compensation in respect of the Operations authorized by this Act.

**Regulating Construction of Arches over Streets.**

XIX. And be it enacted, That the Arches for carrying the Railway across the Streets of *Dundee* shall be constructed in compliance with the following Regulations:

The Railway shall be carried across *Union Street*, *Crichton Street*, *Castle Street*, *Commercial Street*, *Gellatly Street*, and *Trades Lane* by a single Opening or Arch across each of such Streets, and the Span of such Openings or Arches shall not be less than the present Breadth of such Streets at the respective Points of crossing:

The Railway shall be carried across the open Space at the East of *Union Street* by Two Openings or Arches:

The Railway shall be carried across the *Green Market* by Two Openings or Arches of a Span of not less than Forty-five Feet each.

**Bridge over Trades Lane to be 18 Feet high.**

XX. And be it enacted, That the Company shall construct the said Railway over *Trades Lane Street*, *Dundee*, by an Arch not less than Eighteen Feet in Height.

**Power to enter into Contracts with the Dundee and Arbroath Railway Company as to Stations, &c.**

XXI. And be it enacted, That it shall be lawful for the Company and the *Dundee and Arbroath* Railway Company to make and enter into Contracts or Agreements with reference to the Mode of constructing the several Stations and Accommodation Works to be made under the Authority of this Act, and as to the Regulation, Management, and joint Use and Occupation of the same, or any Part or Parts thereof respectively, by the said Companies or any of them, or for the Maintenance and Repair thereof or any Part or Parts thereof respectively, as they the said Companies may respectively deem advisable; and every such Contract or Agreement may contain such Covenants, Clauses, Powers, Provisions, and Conditions as may be mutually agreed on between the said Companies.

**Lands for extraordinary Purposes.**

XXII. And be it enacted, That the Quantity of Land which the Company may purchase for extraordinary Purposes in connexion with the Railway hereby authorized shall not exceed in all Thirty Acres.

XXIII. And

Period for compulsory Purchase of Lands limited.

XXIII. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Period for Completion of Works.

XXIV. And be it enacted, That the Railway hereby authorized to be made shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Railway as shall then be completed.

Saving Trustees Claim for Compensation for the Loss of Traffic.

XXV. And whereas under the before-recited Act of the Eighth and Ninth Year of the Reign of Her present Majesty Authority is given to the Trustees of the Harbour of *Dundee* to construct a Line of Rails along the North Quay of the Harbour of *Dundee* so as to connect the *Dundee and Arbroath* Railway with the *Dundee and Perth* Railway, and in the event of the said Trustees failing to construct the said Line of Railway the said Railway Company is empowered to make and construct the same, and to obtain Repayment of the Expense thereof from the said Trustees, and it is provided that the said Company should at all Times be entitled to the Use of the said Railway upon the said Street or Quay, but always without prejudice to the Right of the said Trustees to grant the Use of the said Line of Railway to any other Company or Individual requiring the same, the said *Dundee and Perth* Railway Company paying for the Use of the said Railway such Sums as might be agreed upon between the said Trustees and the said Company, and in case of their differing in Opinion then such Sums as might be fixed by the Sheriff: And whereas in pursuance of the said Act a Line of Railway has been constructed along the said Street and Quay by the said Trustees; be it enacted, That the said Company shall compensate the said Trustees for the Loss of Traffic which they may sustain in consequence of the said Railway Company not continuing to use the said Line of Railway upon the said Street or Quay, such Compensation to be fixed by the said Sheriff.

How such Compensation is to be ascertained.

XXVI. Provided always, and be it enacted, That the Sheriff shall ascertain the Amount of the Rates or Sums of Money payable to the said Trustees in respect of the said Line of Rails for the Three Years immediately preceding the opening of the Railway by this Act authorized, exclusive of Rates or Sums of Money in respect of Traffic passed along the said Line of Rails for the Purpose of being accommodated at the Stations of the Company in *Dundee*, and shall also ascertain the Amount of the said Rates or Sums of Money for the Period of Three Years immediately succeeding the opening of the Railway by this Act authorized; and the Amount of Compensation to be annually paid by the Company shall be One Third Part of the Difference between the Amount of the said Rates or Sums of Money which may be payable to the said Trustees in respect of the Use of the said Line of Rails or any Part thereof during the Two aforesaid Periods of Three Years, if the Amount payable during the Second Period of Three Years shall be less than the Amount payable during

the

the First Period of Three Years; and such Difference shall be ascertained by the Sheriff.

A gross Payment may be made as Compensation for Loss of Traffic.

XXVII. Provided always, and be it enacted, That it shall be lawful for the Company and the said Trustees to compound and agree for a gross or annual Payment or other Consideration by the Company in full of such Compensation for Loss of such Traffic.

Works abandoned by the Company may be removed by the Admiralty.

XXVIII. And be it enacted, That if any Work to be constructed by the Company across any tidal Water or navigable River, or if any Portion of the proposed Railways which affects any such Water or River or Access thereto, shall be abandoned by the Company, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly.

Same Tolls to be taken as in first-recited Act.

XXIX. And be it enacted, That it shall be lawful for the Company to demand and receive, for and in respect of the Railways and Works by this Act authorized, the same Tolls and Charges as they are by the said *Dundee and Perth* Railway Act, 1845, first authorized to demand and receive, for and in respect of the Railways by such Act authorized to be constructed.

Limiting Charges for the Conveyance of Coals.

XXX. And be it enacted, That it shall not be lawful for the Company to charge, in respect of Coals, Coke, Culm, Charcoal, and Cinders conveyed on the Railways by this and the said recited Acts authorized, any greater Sum than Three Halfpence *per* Ton *per* Mile, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance.

Regulating Tolls on Dundee and Arbroath Railway Traffic carried for short Distances.

XXXI. And be it enacted, That in the event of the Undertaking of the *Dundee and Arbroath* Railway Company being leased by the Company, the Provisions of the herein-before first-recited Act, authorizing the Company to demand Tolls for a less Distance than Six Miles as for Six entire Miles, shall not be applicable to Traffic passing continuously upon the Undertakings of the Company and of the *Dundee and Arbroath* Railway Company for Distances which together shall be less than Six Miles, except in so far as to enable the Company to demand Tolls, Rates, and Charges in respect of such Traffic, which, together with the Tolls, Rates, and Charges charged under the Authority of the Acts relating to the *Dundee and Arbroath* Railway Company, shall amount to Tolls, Rates, and Charges as for Six entire Miles, the Intent and Meaning of this Enactment being that the said Provisions shall in the event of such Lease be so construed that the Tolls, Rates, and Charges on such Traffic shall be calculated and imposed by the Company at such Rates as if the Undertakings of the said Two Companies had originally formed One Line of Railway.

XXXII. And

Railway Company to Collect Town's Customs, and to account for the same.

XXXII. And whereas the Magistrates and Town Council of the Royal Burgh of *Dundee*, through or into which the Railway is intended to pass, have been in use to levy certain Customs and Imposts on certain Goods, Articles, Animals, Matters, and Things entering, leaving, or passing through the said Burgh: And whereas it would be attended with Delay and Inconvenience if such Customs and Imposts were levied by the said Magistrates and Town Council on Goods, Articles, Animals, Matters, and Things entering, leaving, or passing through the said Burgh by the Railway; and it is expedient that Provision should be made for obviating such Inconvenience and Delay, by enabling the Company to levy and collect the Customs and Imposts over such Goods, Articles, Animals, Matters, and Things, and to account to the said Magistrates and Town Council, or to compensate them for the same; be it enacted, That it shall be lawful for the Company, with the Concurrence and Authority of the said Magistrates and Town Council, to levy and collect the Customs and Imposts due to and legally exigible by the said Magistrates and Town Council on Goods, Articles, Animals, Matters, and Things entering, leaving, or passing through the said Burgh by the Railway, and the Company shall be bound to account to the said Magistrates and Town Council for the same, or to make such other Compensation therefor as shall be mutually agreed upon between the said Magistrates and Town Council and the said Company, and it shall be lawful for the said Magistrates and Town Council and the said Company to enter into such Agreements, Leases, or other Contracts as may be necessary or expedient for the said Purposes, and such Agreements, Leases, and Contracts may contain such Covenants and Conditions as shall be mutually agreed upon between the Parties.

Maximum Tolls and Charges.

XXXIII. Provided always, and be it enacted, That the maximum Tolls and Charges to be made by the Company in respect of the Railways by this Act authorized shall in no Case exceed the maximum Tolls and Charges respectively authorized by the said Act.

Expenses of Act.

XXXIV. And be it enacted, That all the Costs, Charges, and Expenses of and attending the passing of this Act, or incidental thereto shall be paid by the Company, *pari passu*, with the Costs, Charges, and Expenses of any other Act of Parliament to be passed in the present Session for which they may be liable, out of the first Monies which shall come to their Hands, and in preference to any other Payment whatsoever.

Saving Rights of Town of Dundee, &c.

XXXV. And be it enacted, That nothing herein contained shall extend or be construed to extend to diminish, alter, or affect any Powers, Rights, Dues, Duties, Privileges, Authorities, or Jurisdictions of the Magistrates and Town Council of *Dundee*, or of the Police Commissioners of *Dundee*, or of the said Trustees of the Harbour of *Dundee*, all which Powers, Rights, Dues, Duties, Privileges, Authorities, and Jurisdictions are hereby reserved entire, excepting so far as the same are altered or varied by this Act, and are not inconsistent with the Provisions herein contained.

Saving Rights of the Crown.

XXXVI. And be it enacted, That nothing contained in the said recited Acts or in this Act shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods and Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners or any Two of them are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs and Successors.

Railway Company to be subject to the Provisions of 1 & 2 Vict. c. 98. 3 & 4 Vict. c. 97. 5 & 6 Vict. c. 55. 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. & 105.

XXXVII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and Two other Acts were passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled respectively, *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the Railways by this Act authorized to be made, or the Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Company so far as the same shall be applicable thereto.

Railways to be subject to Provisions of future General Acts.

XXXVIII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Tolls and Charges authorized to be levied by virtue of the said recited Acts and this Act.

Public Act.

XXXIX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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