ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

****

Cap. clxiv.

An Act for making a Railway from the *Edinburgh and Hawick* Railway to the Town of *Hawick* in the County of *Roxburgh*. [31st *July* 1845.]

WHEREAS the making of a Railway from the Southern Terminus of the *Edinburgh and Dalkeith* Railway to the Town of *Hawick* would be of great public Advantage, by opening an additional, certain, and expeditious Means of Communication between the said Places, and also by facilitating Communication between more distant Towns and Places: And whereas the Persons hereafter named are willing, at their own Expence, to carry such Undertaking into execution; but the same cannot be effected without the Authority of Parliament: And whereas the several Acts following have been passed in the present Session; (that is to say,) an Act called the Companies Clauses Consolidation Act (*Scotland*), 1845, an Act called the Lands Clauses Consolidation Act (*Scotland*), 1845, and an Act called the Railway Clauses Consolidation Act (*Scotland*), 1845: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, and by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and

Incorporation of 8 & 9 Vict. cc. 17. 19. and 33. with this Act.

and by the Authority of the same, That the said several Acts, (that is to say,) the Companies Clauses Consolidation Act (*Scotland*), 1845, the Lands Clauses Consolidation Act (*Scotland*), 1845, and the Railway Clauses Consolidation Act (*Scotland*), 1845, shall be incorporated with and form Part of this Act, save as to any Provisions thereof respectively which may be modified by or be inconsistent with the Provisions of this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Edinburgh and Hawick* Railway Act, 1845."

Subscribers incorporated.

III. And be it enacted, That *Sir James Forrest* Baronet, *John Learmonth*, *John Christison*, *John Maxton*, *Alexander Thomson*, *Eagle Henderson*, *John Cockburn*, *Alexander Sinclair*, *George Turnbull*, *George Hamilton Bell*, *Hew Francis Cadell*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining a Railway from the Southern Terminus of the *Edinburgh and Dalkeith* Railway to the Town of *Hawick* in the County of *Roxburgh*, with proper Works and Conveniences belonging thereto, according to the Provisions of the said intended Acts and of this Act, and for other the Purposes herein and in the said intended Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Edinburgh and Hawick* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said recited Acts contained.

Capital.

IV. And be it enacted, That the Capital of the Company shall be Four hundred thousand Pounds.

Number and Amount of Shares.

V. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be Thirty-two thousand, and the Amount of each Share shall be Twelve Pounds Ten Shillings.

Calls.

VI. And be it enacted, That Two Pounds Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Nine Pounds *per* Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Two Months at the least shall be the Interval between successive Calls.

Interest to be paid on Calls.

VII. And be it enacted, That it shall be lawful for the Directors of the said Company, until the said Railway shall be completed and opened to the Public, to pay Interest at the Rate of Four Pounds *per Centum per Annum* in respect of the Calls paid on every Share from the Day on which such Calls shall have been so paid, such Interest to accrue and be paid at such Times and Places as the Directors for the Time being shall appoint for that Purpose: Provided always, that no

Interest

Interest shall accrue to the Proprietor of any Share upon which any Call shall be in arrear, in respect of such Share, or of any other Share held by the same Proprietor, during the Period while such Call shall remain unpaid.

Power to borrow Money.

VIII. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of One hundred and thirty-three thousand three hundred and thirty-three Pounds Six Shillings and Eight-pence; but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Four hundred thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Extent of Liability of Shareholders.

IX. And be it enacted, That no Shareholder of the Company shall be liable for or charged with the Payment of any Debt or Demand due from the Company beyond the Extent of his Share in the Capital of the Company not then paid up.

Number and Qualification of Directors.

X. And be it enacted, That the Number of Directors shall be Six, and the Qualification of a Director shall be the Possession in his own Right of Forty Shares in the Undertaking.

Power to vary the Number of Directors.

XI. And be it enacted, That it shall be lawful for the Company to increase or reduce the Number of Directors, provided that the increased Number do not exceed Twelve, and that the reduced Number be not less than Five.

First Directors.

XII. And be it enacted, That Sir *James Forrest* Baronet, *John Learmonth*, *John Christison*, *Alexander Thomson*, *Eagle Henderson*, and *George Turnbull* shall be the first Directors of the Company.

Quorum.

XIII. And be it enacted, That the Quorum of a Meeting of Directors shall be Five.

Committees of Directors.

XIV. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Three nor more than Five; and the Quorum of such Committees shall be Three.

Newspapers for Insertion of Advertisements.

XV. And be it enacted, That the Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be Two of the Newspapers published in the City of *Edinburgh*.

Power to make Railway according to deposited Plans.

XVI. And whereas Plans and Sections of the Railway, showing the Line and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners and Lessees and Occupiers of the Lands through which the same is intended to pass, have been deposited with the Sheriff Clerks of the Counties of *Edinburgh*, *Selkirk*, and *Roxburgh*; be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the said Company to make and maintain the said Railway and Works in the Line and upon the Lands delineated on the

the said Plans and described in the said Books of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of the Railway.

XVII. And be it enacted, That the said Railway shall commence at and join the Southern Terminus of the *Edinburgh and Dalkeith* Railway at or near to *Dalhousie Mains* in the Parish of *Cockpen* in the County of *Edinburgh*, and shall pass through the following Places or some of them, (that is to say,) *Cockpen*, *Newbattle*, *Temple*, *Borthwick*, *Crichton*, *Heriot*, and *Stow*, in the County of *Edinburgh*; *Stow* and *Galashiels* in the County of *Selkirk*; *Melrose*, *St. Boswell's*, *Ancrum*, *Wilton*, and *Hawick*, in the County of *Roxburgh*; and shall terminate at or near to the Town of *Hawick* in the said County of *Roxburgh*.

Empowering Board of Trade to compel the laying down of additional Line of Rails.

XVIII. And whereas the Bridges and Masonry on the said Railway are intended to be constructed of such Width as to admit of the laying down thereon of a double Line of Rails, but it is not proposed in the first instance to lay down more than a single Line of Rails; be it therefore enacted, That if at any Time after Twelve Months from the opening of the said Railway to the Public it shall appear to the Lords of Her Majesty's Committee of Council for Trade and Plantations that an additional Line of Rails is required for the Safety and Convenience of the Public using the said Railway, then in such Case the said Company shall and they are hereby required, upon receiving an Order to that Effect from the Lords of the said Committee, to lay down an additional Line of Rails upon the said Railway within such Time as shall be fixed by the Lords of the said Committee for that Purpose.

Providing for Electric Telegraph.

XIX. And be it enacted, That if the said Railway be constructed with a single Line of Rails only the said Company shall and they are hereby required to lay down a proper Electrical Telegraph along the whole Length of the said Railway, for the Transmission of Intelligence.

Regulating Mode of passing Powder Mills in the Parish of Temple.

XX. And whereas the said Railway is intended to pass near to certain Powder Mills in the Parish of *Temple*; be it enacted, That the Line of said Railway shall be made in such Manner as not to approach in any Place nearer to the said Mills than a Line shown upon a Plan signed on behalf of the said Company and on the Part of the Owners and Occupiers of the said Mills, and to be deposited with the Sheriff Clerk of the County of *Edinburgh*; and where the Line of the said Railway shall pass on the Level, or on an Embankment, or in Cutting of a less Depth than Fifteen Feet, from a Point Fifty Yards South of a Line marked on the Plan to be deposited as aforesaid Cross Section, No. 6, to a Point at a Line marked Cross Section, No. 1, an Embankment or Screen shall be raised along the Side of the said Railway, and between the said Railway and the said Mills, of at least Fifteen Feet in Height from the Surface of the Rails of the said Railway; and where the said Railway passes opposite the Stove marked No. 32 on the said Plan, and the Mills marked No. 37 on the said Plan, the same shall at each Place be arched or sufficiently

covered

covered over to the Extent of Eighty Yards; and it shall be lawful for the said Company and they are hereby required and authorized to remove the said Stove marked No. 32, and to erect the same at some Situation not less distant from the Line of the said Railway than the Distance of the Building marked No. 33 on the said Plan.

Limiting Rate of Speed in descending Inclined Plane between Dalhousie Mains and Middleton Muir.

XXI. And whereas the Line of the said Railway between *Dalhousie Mains* and *Middleton Muir* passes on an Inclination of One Foot in Seventy-five Feet, and with several Curves of a Quarter of a Mile Radius: And whereas it is expedient to limit the Rate of Speed at which Trains shall travel in descending the said Inclination where such Curves occur; be it therefore enacted, That so long as a single Line of Rails only shall be laid down between *Dalhousie Mains* and *Middleton Muir* aforesaid it shall not be lawful for the said Company to permit the Passage of any Trains at a greater Speed than Fifteen Miles in the Hour in descending the said Portion of Line where such Curves occur: Provided always, that if at any Time hereafter a double Line of Rails shall be laid down between the said Places it shall be lawful for the said Company, with the Permission of the Board of Trade, to allow the Passage of Trains at any increased Rate of Speed between the said Places.

Power to cross certain Roads on the Level.

XXII. And be it enacted, That it shall be lawful for the said Company to carry the said Main Line of Railway on the Level across the Roads numbered respectively on the Plans deposited as hereinbefore mentioned as follows; namely,

In the Parish of *Stow* the Roads numbered 49, 95, 123, 126, 151, and 174 respectively; in the Parish of *Borthwick* the Road numbered 15; in the Parish of *Heriot* the Road numbered 26; in the Parish of *Melrose* the Roads numbered 41, 65, 115, 162, 304, and 328 respectively; in the Parish of *St. Boswell's* the Road numbered 6; in the Parish of *Minto* the Roads numbered 30 and 38 respectively; in the Parish of *Wilton* the Roads numbered 23 and 59 respectively; and in the Parish of *Hawick* the Road numbered 9.

An Archway to be made under a Road 174 in Stow.

XXIII. Provided always, and be it enacted, That the said Company shall and they are hereby required, at the Point where the said Railway is proposed to cross the Road numbered 174 in the Parish of *Stow*, to construct a sufficient Tunnel or Archway underneath the said Railway, of not less than Seven Feet in Height, for the Convenience of Foot Passengers.

Lands for extraordinary Purposes.

XXIV. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Fifty Acres.

Compulsory Purchase of Lands limited to Three Years.

XXV. 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 Three Years from the passing of this Act.

Period for Completion of Works.

XXVI. And be it enacted, That the Railway shall be completed within Seven Years from the passing of this Act, and on the Expiration

tion of such Period the Powers by this or the recited Acts granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Tolls.

XXVII. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the Railway, not exceeding the following; (that is to say,)

Tonnage on Articles of Merchandize.

1. In respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof, as follows:

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding Two-pence; and if conveyed by Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *per* Ton *per* Mile not exceeding Two-pence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Stones, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Three-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Halfpence:

For all Cottons and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Four-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Two-pence:

And for every Carriage, of whatever Description, having more than Two Wheels, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence:

And a like Sum of Sixpence *per* Mile for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Sixpence:

Tolls for Passengers or Cattle.

2. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon

any such Carriage, *per* Mile not exceeding Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny:

For every Calf, or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Halfpenny.

Tolls for propelling Power.

XXVIII. And be it enacted, That the Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Maximum Rate of Charge for Passengers;

XXIX. And be it enacted, That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the said Railway, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First Class Carriage, the Sum of Three-pence *per* Mile:

For every Passenger conveyed in a Second Class Carriage, the Sum of Two-pence *per* Mile:

For every Passenger conveyed in a Third Class Carriage, the Sum of One Penny Halfpenny *per* Mile:

for Cattle, Goods, &c.

And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and Waggons or Trucks and locomotive Power, and every Expence incidental to such Conveyance, (except the loading and unloading of Goods, where such Service is performed by the Company,) shall not exceed the following Sums:

For every Horse, or other Beast of Draught or Burden before classed with Horses, the Sum of Five-pence *per* Mile:

For Cattle, the Sum of Two-pence *per* Head *per* Mile:

For Sheep and small Animals, Three Farthings each *per* Mile:

For every Carriage, the Sum of Seven-pence *per* Mile:

For Manure, and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per* Ton *per* Mile:

For Coals, and other Articles herein-before classed therewith, the Sum of Two-pence *per* Ton *per* Mile:

For Sugar, and other Articles herein-before classed therewith, the Sum of Three-pence *per* Ton *per* Mile:

For Cotton, and other Goods and Articles herein-before classed therewith, the Sum of Four-pence *per* Ton *per* Mile.

Company may take increased Charge by Agreement.

XXX. Provided always, and be it enacted, That nothing herein contained shall be held to prevent the said Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger Trains, or by reason of any other special Service performed by the said Company in relation thereto.

XXXI. Pro-

Restrictions as to Tolls for Passengers not applicable to special Trains.

XXXI. Provided also, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to Passengers conveyed by any special or extra Train, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company.

Regulations as to the Tolls.

XXXII. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles the Company may demand Tolls and Charges as for Six Miles:

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges as for One Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and great Weights.

XXXIII. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) the Company may demand any Sum which they think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages, and as to Parcels not being aggregate Quantities of the same Description of Articles sent in the same Package:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding One Shilling *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Passengers Luggage.

XXXIV. And be it enacted, That every Passenger travelling upon the Railway may take with him, at his own Risk, his ordinary Luggage, not exceeding One hundred Pounds in Weight for First Class Passengers,

sengers, Sixty Pounds in Weight for Second Class Passengers, and Forty Pounds in Weight for Third Class Passengers, without any Charge being made for the Carriage thereof; and may take with him the said Amount of Luggage, at the Risk of the Company, provided he delivers the same to them, and pays such reasonable Sum for booking as shall be fixed by them, not exceeding Two-pence for each Article.

Power to lease the Railway.

XXXV. And whereas the Railway by this Act authorized to be made will be a Branch of the *North British* Railway, and might be advantageously worked by the said *North British* Railway Company; be it therefore enacted, That it shall be lawful for the Company by this Act incorporated, with the Approbation of Three Fifths of the Shareholders present, personally or by Proxy, at any General or Special General Meeting, to grant a Lease of the Railway by this Act authorized to be made to the said *North British* Railway Company, for such Term and for such Rent or Consideration as shall be agreed upon.

Power to sell the Railway to the North British Railway Company.

XXXVI. And be it enacted, That it shall also be lawful for the said Company hereby incorporated, by and with the Concurrence of Three Fifths of the Votes of the Shareholders present in Person or by Proxy at any General or Special General Meeting, to sell to the said *North British* Railway Company, if they shall be authorized and willing to purchase the same, the Undertaking by this Act authorized, or any Share or Interest therein, and all Rights, Powers, Privileges, and Authorities of the said Company hereby incorporated in connexion therewith, and either before or after the Completion thereof, but subject to all existing Mortgages, Contracts, Assessments, and Liabilities affecting the same; and on the Completion of such Purchase (of which Completion a Transfer or Conveyance under the Corporate Seal of the Company hereby incorporated shall be sufficient Evidence) the said *North British* Railway Company may have and hold the said Undertaking, or the Share therein so purchased by them, and use, exercise, and enjoy, or participate in the Use, Exercise, and Enjoyment of all the Rights, Powers, and Privileges conferred by this Act on the said Company hereby incorporated: Provided always, that in the event of the whole of the Undertaking by this Act authorized being purchased by the said *North British* Railway Company, then from and after the Completion of such Purchase the Company by this Act incorporated shall be dissolved and cease to exist, and all Powers and Authorities which may become vested in the said *North British* Railway Company by virtue of such Purchase may be exercised by them, and the Corporate Seal of the said *North British* Railway Company used, when necessary, in reference thereto, in like Manner as though the said Undertaking formed Part of the *North British* Railway, and the said *North British* Railway Company had been originally authorized to carry the same into effect in lieu of the Company by this Act incorporated.

Railway to be subject to the Provisions of 1 & 2 Vict. c. 98.,

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 said Majesty, intituled *An Act for*

3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., and 7 & 8 Vict. c. 85.

for regulating Railways; and another Act was passed in the Sixth Year of the Reign of Her said 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 said 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;* be it enacted, That nothing in this said Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto.

Railway not to be exempted from Provisions of any future general Railway Act.

XXXVIII. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, 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 Fares and Charges authorized by 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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