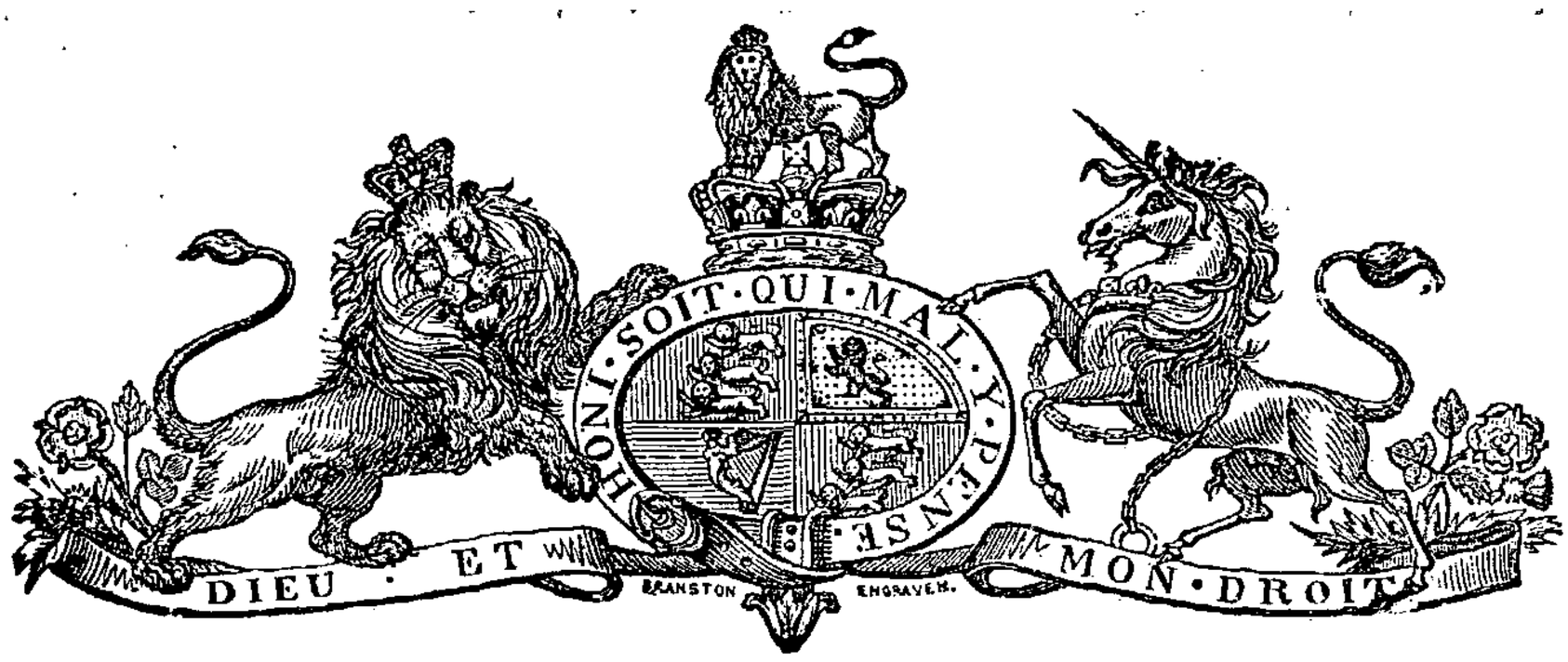


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make certain Branch Railways and Works in the same County: And whereas under the Provisions of the herein-before first-recited Act the same Company are Proprietors of the Low-water Pier at *Burntisland*, and of the Ferry between the same and *Granton*: And whereas a large Portion of the Traffic passing along the Railways of the Company passes also across their said Ferry, and it would greatly facilitate the Traffic passing the same if the Company were authorized to construct a Low-water Ferry Pier and other Works at *Granton*, for the proper Accommodation thereof: And whereas it is expedient that some of the Provisions of the herein-before recited Acts relating to Lodges at certain level Crossings should be amended; but the several Objects aforesaid cannot be effected without the Aid and Authority of Parliament: And whereas under or by virtue of Two several Acts of Parliament passed respectively in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to enable the Duke of* Buccleuch and Queensberry *to make and maintain a Pier at* Granton *in the Parish of* Cramond, *and a Road therefrom to join the Road leading from* Leith *to* Queensferry *in the County of* Edinboro, and in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to extend the Provisions of an Act of the Seventh Year of the Reign of King* William *the Fourth, relative to the Pier at* Granton in *the County of* Edinburgh, the said Duke has, at his own Expense, constructed the said last-mentioned Pier, and the Works and Approaches necessary for the same, and is entitled to levy certain Rates and Dues within the Boundaries limited by the said Acts in respect of the Use thereof: And whereas certain Terms have been made and entered into by and between the said Company and the said Duke, as Proprietor of the said Pier called *Granton* Pier, with reference to the said intended Low-water Ferry Pier and other Works, in case the same should be constructed by the said Company, by a Contract or Agreement in Writing made between the said Parties on the Fifteenth and Twenty-seventh of *January* One thousand eight hundred and forty-seven Years, and registered in the Court of Session in *Edinburgh* on the Twenty-third Day of *February* of the same Year: May it therefore please Your Majesty that it may be 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 the present Parliament assembled, and by the Authority of the same, That all the Provisions, Matters, and Things contained in the said herein-before first-recited Act, in so far as the same respectively are or may be applicable and are now in force, and are not inconsistent with or altered by this Act, shall extend to this Act, and to the several Purposes thereof, as fully and effectually as if the said Provisions, Matters, and Things were repeated and re-enacted in this Act in reference to such Purposes; and the Works by this Act authorized and maintained shall form Part of the Undertaking of the Company, and shall as such be subject to all the Provisions of the said Acts, except as aforesaid.

7 W. 4. & 1 Vict. c. 15.

5 & 6 Vict. c. 19.

Provisions of recited Acts extended to this Act.

Provisions of 8 & 9 Vict. cc. 17, 19, & 33., and 10 & 11 Vict. c. 27., in-

II. And be it enacted, That the Provisions of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," and of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and of "The Railways Clauses Consolidation (*Scotland*) Act, 1845," and of "The Harbours,

bours, Docks, and Piers Clauses Act, 1847," with respect to Lights and Lighthouses, shall be incorporated with and form Part of this Act. corporated with this Act.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Deeds, Instruments, and Proceedings, it shall be sufficient to use the Expression "The *Edinburgh and Northern* Railway (*Granton* Pier, &c.) Act, 1849." Short Title.

IV. And be it enacted, That it shall be lawful for the Company to raise for the Works by this Act authorized, 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 Twenty-five 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 specially called for the Purpose; 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: Provided always, that the Rate of Interest which may be guaranteed upon any such new Shares shall not exceed Ten Pounds *per Centum per Annum*, and that all and every Part of the Capital raised for the Objects and Purposes of this Act shall be applicable only to such Objects and Purposes. Power to raise additional Capital by Creation of new Shares.

V. Provided always, and be it enacted, That it shall not be lawful for the Company, under the Authority of this Act, to give or confer any Guarantee of Interest or Dividend on any Capital to be raised under the Authority thereof which shall be preferable to any other Guarantee of Interest or Dividend theretofore granted by the said Two dissolved Companies or any of them, or by the Company, in pursuance of the Authorities in the before-recited Acts contained or any of them; and no Guarantee which may be given or conferred pursuant to this Act shall prejudice or affect, or be deemed to prejudice or affect, any existing Rights conferred upon or with respect to any Stock of the Company which under the Acts creating the same, and under the first-recited Act, is entitled to any preferential Interest or Dividend, but the same Rights shall continue attached to such last-mentioned Stock, and the same preferential Interest or Dividend shall continue to be paid thereon before any Dividend or Interest shall be paid upon any Capital or Portion of Capital created under the Authority of this Act, anything in this Act to the contrary contained notwithstanding: Provided always, that as respects any Guarantee of Interest or Dividend on any Capital created by the Authority of this Act, or of any other Act passed in the present Session of Parliament authorizing the Company to raise additional Capital, the Company may determine and fix the Order of Preference thereof, and Interest or Dividend shall, subject to existing Guarantees, be paid in the Order of Preference so determined or fixed upon by the Company. Existing Guarantees not to be prejudiced.

VI. And be it enacted, That the Proprietors of the new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the Amount of Capital represented by such Votes of Proprietors of new Shares.

such Shares would entitle them to under the existing Acts of the Company.

Calls.

VII. And be it enacted, That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Holders of Shares created by this Act, and Three Months at the least shall be the Interval between successive Calls.

Power to borrow Money on Mortgage.

VIII. And be it enacted, That after the whole of the Capital by the said recited Acts relating to the Company and this Act authorized to be raised shall have been subscribed for or taken, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond and, if paid up, again to borrow, such Sum or Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, not exceeding in the whole the Sum of Eight thousand three hundred and thirty-three Pounds, in addition to the Sums they are already authorized to borrow, or which they may be authorized to borrow by any other Act to be passed in the present Session of Parliament: Provided always, that all and every Part of the Money so to be borrowed shall when raised be applicable only to the Objects and Purposes by this Act authorized.

Former Mortgages to have Priority.

IX. Provided always, and be it enacted, That all Mortgages or Bonds made or granted by the Company before the passing of this Act, or by any of the said Two dissolved Companies, 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 to be made or granted in virtue of this Act.

Bonds, &c. to be stamped.

X. And be it enacted, That every Mortgage, Bond, or other Security for Money to be granted by virtue of any 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.

XI. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or by any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend 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 contained shall be deemed to prevent the Company from paying to any Shareholders 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 Com-

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

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 Company to construct any other Railway or execute any other Work or Undertaking. pany's Capital.

Power to make Works according to deposited Plans.

XIII. And whereas Plans and Sections of the Works at *Granton* by this Act authorized, showing the Lines and Levels thereof and the Lands required therefor, and also a Book of Reference to such Plans, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the same Works are intended to pass, have been deposited in the Office of the Principal Sheriff Clerk of the County of *Edinburgh* in *Edinburgh*: Be it enacted, That, subject to the Provisions in this and the said recited Acts applied to this Act contained, it shall be lawful for the Company to make and maintain the said 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 lay down such and so many Rails thereon as may be necessary to connect the said Works with their existing Line from *Edinburgh* to *Granton*, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purposes: Provided always, that it shall not be lawful for the said Company in the Construction of the said Works to take or use any Part of *Granton* Pier aforesaid, nor of the Works belonging to the same, without the Consent in Writing of the said Duke, or other the Proprietor of the said Pier and Works, first had and obtained.

Company not to encroach upon certain Parts of the Duke of Buccleuch's Pier and Works at Granton.

XIV. Provided always, and be it enacted, That the said Company shall not construct or carry the said Ferry Pier Works nearer to the Eastern Face of the Coping of the East Side of *Granton* Pier than Eight clear Feet throughout the Extent of the said Ferry Pier from the Southern Extremity thereof as shown by the said Plans, except along the last Fifty Feet towards the North, along which the said minimum Distance of Eight Feet shall be gradually increased to Ten Feet, which shall be the minimum Distance from the Eastern Face of the said Coping at the Northern Extremity of the said Ferry Pier.

Confirming Agreement between the Company and the Duke of Buccleuch.

XV. And whereas in the said Contract or Agreement Provision is made as to the working of certain Quarries the Property of the said Duke, and as to the Use of certain Parts of the said Duke's Works at *Granton*, and the Conveniences connected therewith, for the occasional Accommodation of the Ferry Boats and Traffic of the Company, and as to the occasional Use by the said Duke of the Works by this Act authorized, and for the laying down of certain Lines of Rails on certain Parts of such several Works for the Accommodation of the Traffic thereof and of the Traffic of the said Ferry, and also for reserving to the said Duke certain Crossings over and upon the Works by this Act authorized, and the Right of making Branch Railways in connexion with the Works of the Company, and as to the Power of selling, assigning, or subsetting the Privileges in and by such Contract or Agreement conferred on the Company, and as to the Payments to be made by the Company to the said Duke for or in respect of the Matters in such

Contract or Agreement mentioned, and as to other Matters relating to the Rights and Interests of the said Duke and the Company: Be it enacted, That as to all such several Matters the said Contract and Agreement shall and the same is hereby ratified and confirmed, and shall be as binding in all respects, and may be enforced by, for, or against the Company and the said Duke, as if the same had been made and entered into under the Authority of this Act.

Right of Soil to remain in Proprietor of Granton Pier.

XVI. And be it enacted, That the Right of Soil of and in the Piers and other Works by this Act authorized to be constructed at *Granton* shall remain vested in the Proprietor of *Granton* Harbour, to the like Extent as the same is now vested in the said Proprietor: Provided always, that the Company shall have the exclusive Use of the said Piers and Works by them constructed at *Granton*, subject nevertheless to the Provisions in this Act and in the said Contract and Agreement contained.

Locomotive Engines, &c. not to come upon the Pier without the Consent of the Company.

XVII. And be it enacted, That it shall not be lawful for any Company or Person, with any Locomotive Engine, Waggon, or other Carriage, to come upon or use any Rails laid down by the Company upon any Part of the Works by this Act authorized, without the Consent of the Company first had and obtained: Provided always, that nothing in this Enactment contained shall affect or diminish, or be construed so as to affect or diminish, any Rights reserved to or conferred upon the said Duke in and by the herein-before recited Contract or Agreement.

Lights to be exhibited during Construction of Works.

XVIII. And be it enacted, That during the Construction of the said Pier and Works connected therewith the said Company shall cause to be hung out or exhibited every Night from Sunset to Sunrise a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and for ever after the Completion of the said Pier Slip Quay the said Company shall cause to be hung out or exhibited upon the said Pier every Night from Sunset to Sunrise a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Light shall be subject to the Provisions in that Behalf contained in the said Harbours, Docks, and Piers Clauses Act, herewith incorporated; and in case the said Company shall neglect to exhibit and keep either of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

Penalty for Neglect.

If local Survey deemed expedient by the Admiralty, the Expense to be defrayed by the Company.

XIX. 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 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.

XX. And

If Works across Tidal Waters are abandoned, the same to be removed at the Expense of the Company.

XX. And be it enacted, That if any Work to be constructed by the Company in Tidal Water, or if any Portion of the said Pier or Works which affect any such Water or River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay 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, with Costs of Suit.

Nothing to authorize Company to take Lands in Edinburgh laid down on Plans.

XXI. And whereas a Plan of certain Lands and other Property in and near to *Princes Street* in the Parish of *St. Andrews* and City of *Edinburgh*, adjoining to the Company's present Station at *Canal Street*, and also a Book of Reference to such Plan, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the said Lands and other Property, have also been deposited in the Office of the said Principal Sheriff Clerk: Be it enacted, That nothing in this and the said recited Acts applied to this Act contained shall authorize the Company to enter upon or to take, whether compulsorily or otherwise, or to use, such Lands and Property or any Part thereof.

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 Objects by this Act authorized shall not exceed Five Acres.

Period for 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 Three Years from the passing of this Act.

Period for Completion of Works.

XXIV. And be it enacted, That the Works hereby authorized shall be completed within Five 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 Works as shall then be completed.

Tolls.

XXV. And be it enacted, That it shall be lawful for the Company to demand and receive, for or in respect of any Portion of Railway Works authorized to be made by the Authority of this Act, the like Tolls, Rates, and Charges as they are authorized to demand and receive for and in respect of the Railways of the said dissolved *Edinburgh, Leith, and Granton* Railway Company, vested in them by the said first-recited Act, and to demand and receive, at and upon the Low-water Piers and Ferry Works at *Granton* authorized by this Act, the like Tolls, Rates, and Charges which they are authorized to demand and receive pursuant to the "*Edinburgh and Northern* Railway (*Burntisland* Pier and Ferry) Act, 1847."

Maximum Tolls, Rates, and Charges.

XXVI. Provided always, and be it enacted, That the maximum Tolls, Rates, and Charges to be taken by the Company in respect of the Works

Works by this Act authorized shall in no Case exceed the maximum Tolls, Rates, and Charges respectively authorized by the said last-mentioned Acts and this Act.

Exemption of certain Vessels.

XXVII. And be it enacted, That nothing in this Act or in any of the Acts herein recited or referred to contained shall extend to charge with Rates or Duties, or to regulate or subject to any Control, any Vessel belonging to or employed in the Service of Her Majesty, Her Heirs and Successors, or any Member of the Royal Family, or in the Service of the Customs or Excise, or of the Corporation of *Trinity House of Deptford Strond*, or the Commissioners of Northern Lights, using the said Pier or Works connected therewith, and not conveying Goods for Hire, or any Packet Boat or Post Office Packet, being a Packet Boat or Post Office Packet as defined under the Provisions of any Act relating to the Post Office, or any Post Office Bag of Letters conveyed by any such Packet Boat or Packet or by any other Vessel whatsoever, or any of the Officers or Persons employed in the Service of the Admiralty, Ordnance, Customs, Excise, or Post Office, or their Baggage, or any Vessel or Goods being under Seizure by the Officers of the Revenue, or any Naval, Victualling, or Ordnance Stores, or other Stores or Goods for the Service of or being the Property of Her Majesty, or any Troops landed upon or delivered or disembarked from the said Pier or Works connected therewith, or their Baggage, but all such Vessels, Officers, or Persons as aforesaid shall have the free Use of the said Pier and Works without any Charge or Rate being made for using the same: Provided always, that if any Person claim and take the Benefit of any such Exemption as aforesaid without being entitled thereto, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalty on claiming Exemption, not being entitled.

Change of Name of Company.

XXVIII. And be it enacted, That from and after the passing of this Act "The *Edinburgh and Northern* Railway Company," by such Name incorporated by the said first-recited Act, shall no longer be called by the said Name of "The *Edinburgh and Northern* Railway Company," but shall be called and known by the Name of "The *Edinburgh, Perth, and Dundee* Railway Company," and by such last-mentioned Name shall have perpetual Succession and a Common Seal, and have, hold, retain, use, exercise, and enjoy all such and the same Powers, Rights, and Privileges, and purchase, take, hold, and retain all Lands, Houses, Hereditaments, Sums of Money, Stocks, Securities for Money, Debts, Goods, Effects, and Property of every Description, which now are granted to or vested in or held for or belong to the said *Edinburgh and Northern* Railway Company, or which by virtue of any Act passed or to be passed in the present Session of Parliament, or of any other Act, would or might have been bought or acquired by or have become vested in or have belonged to the said *Edinburgh and Northern* Railway Company if the Change in their Name hereby authorized had not taken place, and the several Undertakings which under the Provisions of this Act, or of any other Act of the present or any former Session of Parliament, are or shall be vested in or become the Property of the said *Edinburgh and Northern* Railway Company, shall from and after the passing of this Act no longer be called

called "The *Edinburgh and Northern* Railway," but shall then and thereafter be called and known by the Name of "The *Edinburgh, Perth, and Dundee* Railway."

Acts and Writings to be read as if the new Name of the Company had been inserted therein instead of the old Name.

XXIX. And be it enacted, That the said first-recited Act, and all other Acts in which the said *Edinburgh and Northern* Railway Company is named, and all Deeds, Conveyances, Contracts, Instruments, and Writings made or entered into by or to or with, or which are obligatory upon, the said *Edinburgh and Northern* Railway Company or any of the Directors thereof, or any Trustee or Trustees or Person or Persons on their Behalf, shall be read and construed, and have the same Force, Effect, and Operation in all respects, as if the said Company had been in the said first-recited Act incorporated or described, and in such other Acts, Deeds, Conveyances, Contracts, Instruments, or Writings described or referred to, by the Name or Style of "The *Edinburgh, Perth, and Dundee* Railway Company," instead of by the Name or Style of "The *Edinburgh and Northern* Railway Company," anything in the said Acts, Deeds, Conveyances, Contracts, Instruments, or Writings to the contrary notwithstanding.

Debts, &c. not to be invalidated by Change of Name.

XXX. And be it enacted, That no Debts, Liabilities, or Obligations due from or to, or which ought to be paid, performed, or discharged by, the said *Edinburgh and Northern* Railway Company, or any other Person or Persons, or any Right of Action, or Suit, Claim, or Demand, by, for, or against the said Company, shall be in any wise impeached or otherwise prejudicially affected by the aforesaid Change in the Name of the said Company, or by the aforesaid Change in the Name of their said Undertakings, but the same Debts, Liabilities, and Obligations, Actions, Suits, Claims, and Demands, shall upon and after the passing of this Act be payable and be subject to be performed, discharged, enforced, and prosecuted by or against the said *Edinburgh, Perth, and Dundee* Railway Company, and such other Person or Persons.

Actions, &c. not to abate by Change of Name.

XXXI. And be it enacted, That no Action, Suit, Bill, Summons, Process, Writ, Indictment, Information, or other Proceeding, whether civil or criminal, which before the passing of this Act shall have been commenced and be then pending, whether at the Suit or Instance of the said *Edinburgh and Northern* Railway Company as against any Corporation or Person, or at the Suit or Instance of any other Corporation, or of any Person, against the said *Edinburgh and Northern* Railway Company, shall abate, determine, or be otherwise prejudicially affected by reason of the aforesaid Change of the Name of the said Company or of their said Undertakings, nor shall any Notice, Tender, Requisition, Warrant, Summons, Pleading, Submission, Process, Proceeding, Record, or Document be or be deemed to be vacated, discharged, invalidated, prejudiced, or affected by reason of the Company being therein called by the Name of "The *Edinburgh and Northern* Railway Company," or by reason of their said Undertakings being therein called by the Name of "The *Edinburgh and Northern* Railway;" and it shall not be necessary, in any Bill, Suit, Indictment, Information, Notice, Tender, Requisition, Warrant, Summons, Process, Proceeding, or in any Record or other Instrument, Document,

Document, or Matter, to aver that the Company had been called or known from the Time of the Incorporation thereof until the passing of this Act by the Name of "The *Edinburgh and Northern* Railway Company," or that the said Undertakings had within the said Period been called or known by the Name of "The *Edinburgh and Northern* Railway," and that by this Act the Name of the said Company and of the said Undertakings were changed as aforesaid, but it shall be sufficient to describe the said Company by the Name of "The *Edinburgh, Perth, and Dundee* Railway Company," and the said Undertakings by the Name of "The *Edinburgh, Perth, and Dundee* Railway."

Company may alter their Common Seal.

XXXII. And be it enacted, That it shall be lawful for the said Company to make any Change in the Common Seal hitherto used by them which by reason of the said Change in their Name they may deem necessary or expedient.

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.

XXXIII. 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 pased 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 said Railways 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.

Railway and Company not to be exempt from Provisions of future general Acts.

XXXIV. 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, or the Company, from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, 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 Fares and Charges authorized by the said recited Acts.

Saving Rights of Duke of Buccleugh under re-

XXXV. Provided always, and be it enacted, That, save as by this Act is expressly provided, nothing in this Act contained shall prejudice, supersede, or in any Manner interfere with any of the Rights, Powers, or Privileges vested in the said Duke, his Heirs and Successors, as such Proprietors

Proprietors of *Granton* Pier aforesaid, under or by virtue of the said Two several recited Acts of the Seventh *William* the Fourth and Fifth of Her present Majesty, or either of them, or otherwise, but the same shall, save as aforesaid, be preserved and continued and may be exercised and enjoyed as if this Act had not been passed. cited Acts, 7 W. 4. & 1 Vict. c. 15. and 5 & 6 Vict. c. 19.

XXXVI. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, 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 or Successors. Saving Rights of the Crown.

XXXVII. 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 or be in their Hands, and in preference to any other Payment whatsoever. Expenses of Act.

XXXVIII. And be it enacted, That in this Act the Words "the Company" shall mean "The *Edinburgh and Northern* Railway Company" incorporated by "The *Edinburgh and Northern* Railway Company and *Edinburgh, Leith, and Granton* Railway Company Amalgamation Act." Interpretation of Terms.

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

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