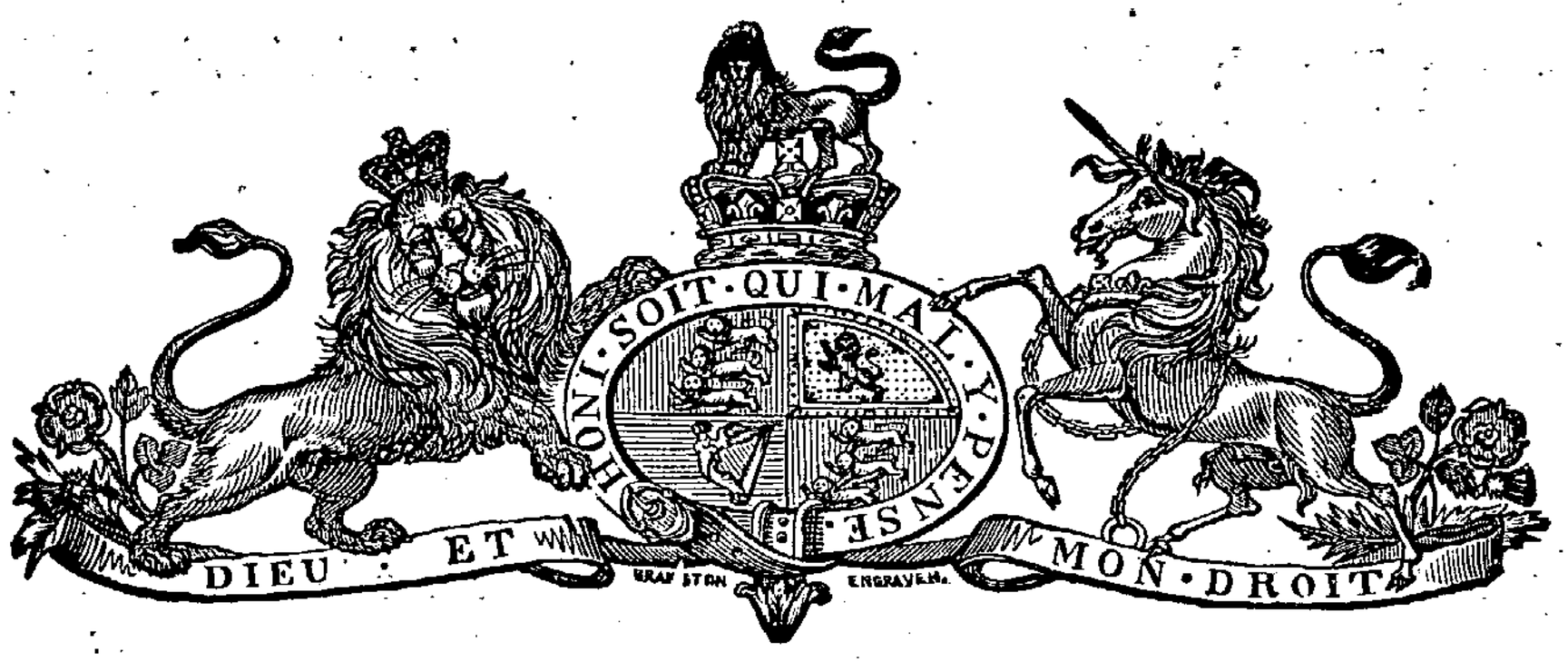


ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

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construct Branch Railways to the City of *Saint Andrew's* and to *Newburgh* Harbour: And whereas another Act was passed in the last Session of Parliament, to incorporate the *Edinburgh, Leith, and Granton* Railway Company with the *Edinburgh and Northern* Railway Company, intituled "The *Edinburgh and Northern* Railway Company and *Edinburgh, Leith, and Granton* Railway Company Amalgamation Act," and the said Companies have now been incorporated accordingly: And whereas an Act was passed in the Fifth and Sixth Years of the Reign of Her present Majesty, for constructing a Low-water Pier at *Burntisland* in the County of *Fife*, and for establishing a Ferry between the same and *Granton* in the County of *Edinburgh*: And whereas it would be attended with local and public Advantage if the Company were authorized to make a Branch Railway from their *Dunfermline* Branch Railway to *Roscobie* Limeworks, a Branch Railway from the said intended Railway to *Keltyhead*, and a Branch Railway from the said *Dunfermline* Branch Railway to *Glencraig*: And whereas it would also be attended with local and public Advantage if the Company were empowered, in constructing the said *Dunfermline* Branch Railway and Works, to divert a Portion of the Turnpike Road leading from *Cupar* to *Kirkcaldy*: And whereas it would be attended with Advantage to the Company and the Public if the Company were empowered to purchase for Station and other Purposes certain Land at or near to the City of *Perth*: And whereas it would be attended with Advantage to the Company and the Corporation of *Burntisland* if the Magistrates and Town Council of *Burntisland* were authorized to convey, and the Company to acquire, certain Corporation and public Property at *Burntisland*, for the Use of the Company: And whereas it is expedient that certain Provisions contained in the said recited Act in relation to the said Low-water Pier and Ferry between *Granton* and *Burntisland* should be amended: And whereas the Company are desirous of carrying into effect the several Objects aforesaid, if authorized by Parliament so to do: 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 this present Parliament assembled, and by the Authority of the same, That all the Provisions, Matters, and Things contained in or incorporated with "The *Edinburgh and Northern* Railway Act, 1845," and the said other recited Acts, 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 making, maintaining, and using of the Railways or Branch Railways and Works by this Act authorized to be made and maintained, and to the several Purposes of this Act, 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 Railways or Branch Railways and Works by this Act authorized to be made and maintained, and Property to be acquired, shall form Part of the Undertaking of the *Edinburgh and Northern* Railway, as the same is now incorporated under the said "*Edinburgh and Northern* Railway Company" and *Edinburgh, Leith, and Granton* Railway Company Amalgamation Act," and shall as such be subject to all the Provisions of the said Acts relating thereto, except as aforesaid.

10 & 11 Vict. c. 239.

5 & 6 Vict. c. 91.

Provisions of recited Acts extended to this Act.

II. And

8 & 9 Vict. cc. 19. & 33. incorporated with this Act.

II. And be it enacted, That the Provisions of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and of "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall, so far as the same are applicable, and are not modified by this Act, or inconsistent with the Provisions thereof, be incorporated with and form Part of this Act.

Short Title.

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 (*Roscobie*, *Keltyhead*, and *Glencraig* Branches, &c.) Act, 1848."

Interpretation of Act.

IV. And be it enacted, That in this Act the Words "the Company" shall mean the *Edinburgh and Northern* Railway Company incorporated by the said "*Edinburgh and Northern* Railway Company and *Edinburgh*, *Leith*, *and Granton* Railway Company Amalgamation Act."

Power to raise additional Capital by Creation of New Shares.

V. And whereas the estimated Expense of the Branch Railways and Works, including the Purchase of Lands, by this Act authorized, is One hundred and twenty-five thousand Pounds: Be it enacted, That it shall be lawful for the Company to raise, for the Purposes 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 One hundred and 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 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.

Votes of Proprietors of new Shares.

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 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 said Sum of One hundred and twenty-five thousand Pounds, which the Company are hereby authorized to raise, shall have been subscribed, 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 Forty-one thousand six hundred and sixty-six Pounds,

Pounds Thirteen Shillings and Four-pence, 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, or Guarantees of Interest or Dividends on Shares or Stock, made or granted by the Company, or by the said *Edinburgh and Northern* Railway Company incorporated by the "*Edinburgh and Northern* Railway Act, 1845," or by the said *Edinburgh, Leith, and Granton* Railway 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 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 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 Company's Capital.

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 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.

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

XIII. And whereas Plans and Sections of the Railways 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, have been deposited in the Offices of the Principal Sheriff Clerks of the Counties of

of *Fife* and *Perth*: Be it enacted, That, subject to the Provisions and Powers of Deviation in this and the said recited Acts contained, it shall be lawful for the Company to make and maintain the said Railways and Works in 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 such Purpose.

Lines of Railways and Works.

XIV. And be it enacted, That the Lines of Railways and Works to be made under the Authority of this Act shall be the following; (that is to say,)

A Branch Railway to commence at a Point on the said *Dunfermline* Branch Railway at or near to *South Lumphinans* in the Parish of *Ballingry* and County of *Fife*, and to terminate at or near to *Roscobie* Limeworks in the Parish of *Dunfermline* and County of *Fife*:

A Branch Railway diverging from or out of the said intended Branch Railway to *Roscobie* Limeworks at a Point thereon near to *Leuchats Beath* in the Parish of *Beath* and County of *Fife*, and to terminate at or near to *Keltyhead* in the said Parish of *Beath* and County of *Fife*:

A Branch Railway to commence at a Point on the said *Dunfermline* Branch Railway at or near to *South Lumphinans* in the Parish of *Ballingry*, and to terminate at or near to *Glencraig* in the said Parish of *Ballingry* and County of *Fife*:

And in constructing the said *Dunfermline* Branch Railway in the Parish of *Markinch*, to divert the Turnpike Road leading from the Town of *Cupar* to the Town of *Kirkcaldy* at a Point where the said *Dunfermline* Branch Railway crosses the said Road at or near to the Village of *Thornton*, such Road being numbered 31. on the Plans of the said *Dunfermline* Branch Railway, so that the said Road may be carried over instead of being crossed on the Level by the said Railway, as provided by the "*Edinburgh and Northern* Railway (*Dunfermline* Branch) Act, 1846."

Certain Roads may be crossed on the Level.

XV. And be it enacted, That it shall be lawful for the Company to construct the Railway across and on the Level of the following Roads numbered on the Plans deposited as aforesaid, as after mentioned; (that is to say,)

The old Turnpike Road No. 15. in the Parish of *Beath*:
The Statute Labour or public Road No. 25. in the same Parish:
The Turnpike Road No. 100. in the same Parish:
The old Turnpike Road No. 124. in the same Parish:
The Statute Labour or public Road No. 18. in the Parish of *Ballingry*.

Station or Lodge to be erected at level Crossings.

XVI. And be it enacted, That, for the greater Convenience and Safety of the Public, the Company shall erect and permanently maintain either a Station or a Lodge at each of the several Points where the Railways shall cross the before-mentioned Roads on the Level; and the

the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the Crossings of such Roads on the Level, and with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the Company shall fail to erect or at all Times maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Works not to be extended below High-water Line.

XVII. And be it enacted, That the Company shall not extend their Works below the High-water Line, as shown on the Plan deposited at the Admiralty Office, without the previous Sanction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, such Sanction to be signified in Writing under the Hand of the Secretary of the Admiralty.

Company to pay Costs of local Examination and Survey.

XVIII. 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.

Works disused to be removed by Admiralty, at the Expense of the Company.

XIX. And be it enacted, That if any Work to be constructed by the Company in or across any tidal Water or navigable River, or if any Portion of the Railway which affects 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 or 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.

Power to purchase additional Lands for extraordinary Purposes.

XX. And be it enacted, That the Quantity of Land which the Company may purchase for extraordinary Purposes shall not exceed Ten Acres, in addition to the Lands which they are authorized to purchase for such Purposes under any other Act of Parliament.

Power to acquire Lands at Perth for Station and

XXI. And whereas a Plan of certain Lands at or near to where the authorized Line of the *Scottish Central* Railway crosses *Craigie-burn* in or near to the City of *Perth* in the *East Church* Parish of *Perth* or in the *West Church* Parish of *Perth* in the County of *Perth*,

Perth, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the said Lands, have been deposited as aforesaid: Be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the Company to enter upon and take, compulsorily or by Agreement, and to use such Lands, or Part thereof, for Station and other Purposes in connexion with their Undertaking. other Purposes.

Certain Lands of Scottish Central Railway Company not to be taken compulsorily.

XXII. Provided always, and be it enacted, That nothing herein contained shall be held to authorize the Company to enter upon or take compulsorily any Portion of the Railway or Works of the *Scottish Central* Railway Company, or to enter upon, or take compulsorily, or use any Lands belonging to the *Scottish Central* Railway Company situated to the West, North, or North-west of the Bridge over the *Scottish Central* Railway at *Saint Leonard's* in the *West Church* Parish of *Perth*, or of the Road leading by the said Bridge from *Craigie* towards *Perth*.

Power to complete Sale of Ground at Burntisland.

XXIII. And whereas a Plan of certain Pieces of Ground lying within or near to the Royal Burgh of *Burntisland* in the County of *Fife*, belonging to the said Royal Burgh, or held by the Magistrates and Council thereof in trust or otherwise for Behoof of the Community of the said Burgh, or the Public or others, and also a Book of Reference to the said Plan containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, have been deposited as aforesaid: Be it enacted, That it shall be lawful for the Company to take the said Pieces of Ground, and for the said Magistrates and Council to complete a Sale or Sales, on such Terms as have been agreed upon, of the said Pieces of Ground, and to receive and discharge the Price or Prices thereof; and any Agreements, Contracts, or Conveyances in relation to the said Pieces of Ground or any of them, not inconsistent with the Provisions of this Act, which may have been entered into or executed prior to the passing of this Act, between the said Magistrates and Council or the Community of the said Burgh and the Company, shall be as valid, binding, and obligatory on all concerned as if the same had been entered into or executed subsequently to the passing of this Act: Provided always, that the Company shall not under this Act be entitled to take or acquire from the said Magistrates and Council any other Piece or Pieces of Ground than such as have already been acquired and are now occupied by the Company.

Accesses to the Beach at Burntisland to be kept open.

XXIV. And be it enacted, That the Company shall keep open all existing Accesses from the Town and Links of *Burntisland* to the Sea Beach, and shall not be at liberty to purchase or in any other Way obtain the Possession of any further Ground, so as in any Manner to interfere with or prevent such free Accesses to the Sea Beach.

Period for compulsory Purchase of Lands limited.

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: Provided always, that such Powers shall not apply to Lands belonging to the Burgh of *Burntisland*.

XXVI. And

Period for Completion of Works.

XXVI. And be it enacted, That the Branch Railways and Works hereby authorized to be made 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 Branch Railways and Works as shall then be completed.

Line to Newport to be completed within Three Years.

XXVII. And be it enacted, That the Company shall be bound, within Three Years after the passing of this Act, to construct, complete, and open to the Public the whole Line of Railway from their *Cupar* Branch to *Newport*, as authorized by the "*Edinburgh and Northern* Railway (*Newport* Railway Extension) Act, 1846," and in the event of their failing to do so none of the Powers by this Act granted, in so far as the same are applicable to the Branch Railways hereby authorized, shall thereafter be exercised until the said Railway shall be so completed and opened.

Saving the Rights of the Crown.

XXVIII. 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.

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 Branch Railways and Works by this Act authorized, the same Tolls and Charges as they are by the said first-recited Act authorized to demand and receive for and in respect of the Railway and Branch Railways by such Act authorized to be constructed.

Maximum Tolls and Charges.

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

Publication of Notices under Burntisland Pier Act.

XXXI. And whereas by the said recited Act for constructing a Low-water Pier at *Burntisland*, and establishing a Ferry between the same and *Granton*, it is enacted that Notice of all the Hours of Departure and of every Alteration thereof shall be given Three Times in some Newspaper published and usually circulated in each of the Counties of *Fife* and *Edinburgh*, not more than Thirty and not less than Fifteen Days before such fixing and Alteration, and that such Notice, printed or in Writing, shall be also previously affixed on some conspicuous Places of the Piers of *Burntisland* and *Granton*: And whereas such Enactments have been found inconvenient, and not attended with public Advantage: Be it enacted, That, instead of the Notices

Notices so required, it shall be sufficient that Notice of all the Hours of Departure from either Side of the said Ferry, and of every Alteration thereof, shall be given at least twice in some Newspaper published and circulated in the County of *Edinburgh*, and once in some Newspaper published and circulated in the County of *Fife*, not more than Fifteen Days nor less than Seven Days before such Alteration.

Provision as to Burgh Customs, Shore Duties, &c.

XXXII. And whereas the Magistrates and Town Councils of the Royal Burghs of *Dysart* and *Newburgh* have been in use to levy certain Customs and Imposts on Goods, Animals, Matters, and Things entering, leaving, and passing through the said Burghs respectively, or some of them: And whereas the said Magistrates and Town Councils of *Dysart* and *Newburgh* respectively, or other Person or Persons, have also been in use to levy Shore Dues, Harbour Dues, and other Dues and Duties for and in respect of Goods, Animals, Matters, and Things shipped and landed at the Harbours of *Dysart* and *Newburgh* respectively, and certain Persons or Bodies have been in use to levy Shore Dues, and other Rates or Dues, for and in respect of Animals, Matters, and Things shipped and landed at *Ferry-Port-on-Craig* on the South Shore of the River *Tay* and County of *Fife*, and at *Broughty* or *Broughty Ferry* on the North Shore of the said River in the Parish of *Monifieth* and County of *Forfar*, or in the Parish of *Caputh* in the County of *Perth*, or some or One of them: And whereas the Railways or Branch Railways authorized by the Acts relating to the Company, or some of them, pass or are intended to pass in, through, or near to the said Royal Burghs and the other Places before named: And whereas the exclusive Right of Ferry across the Firth of *Forth* between *Granton* and *Burntisland*, and of Ferry across the River *Tay* between *Ferry-Port-on-Craig* and *Broughty* or *Broughty Ferry* have been acquired by the Company: And whereas it would be attended with Delay and Inconvenience if the aforesaid Burgh Customs, and the said Shore Dues and other Dues and Rates, were levied by the said Magistrates and Town Councils, and Persons or Bodies aforesaid, on Goods, Animals, Matters, and Things carried by or for the Company, or by the said Railway and Ferries, or any of them: And whereas it is expedient that Provision should be made for obviating such Inconvenience and Delay, by enabling the Company to collect the foresaid Customs, Shore Dues, Harbour Dues, Imposts, and other Dues or Duties, and to account to the said Magistrates and Town Councils and Persons or Bodies respectively, or to compensate them for their respective Interests in the same: Be it enacted, That it shall be lawful for the Company, with the Concurrence and Authority of the said Magistrates and Town Councils, and of the said Owner or Owners, or Persons or Bodies respectively, for their respective Rights and Interests, to levy and collect the aforesaid Customs, Shore Dues, Harbour Dues, Imposts, and other Dues and Duties, in so far as the same are legally exigible on Goods, Animals, Matters, and Things carried by or for the Company by the said Railway and Ferries or any of them, entering, leaving, or passing through the said Burghs or any of them, or shipped in or landed at any of the Harbours or other Places aforesaid, and to account to the said Magistrates and Town Councils, and to the said Owner or Owners, Persons or Bodies respectively, for their respective Rights and Interests therein, or to make such other Compensation

therefor as shall be mutually agreed upon; and it shall be lawful for the said Magistrates and Town Councils and others, or any of them, and for the Company, to enter into such Agreements, Leases, or other Contracts as may be expedient and proper in reference to the said Matters or any of them, and such Agreements, Leases, and Contracts may contain such Covenants and Conditions as may be mutually agreed upon between the Parties: Provided always, that nothing in this Act contained in relation to Shore Dues, Harbour Dues, or other Dues, Rates, and Duties, or any of them, shall be held to apply to the Trustees for the Harbour of *Dundee*, or to any Rights and Privileges belonging to them, all which are hereby reserved entire.

Agreement with the Magistrates and Council of Kirkcaldy to be valid.

XXXIII. And whereas a certain Agreement was entered into by and between the Company and the Provost, Magistrates, and Town Council of the Royal Burgh of *Kirkcaldy*, dated the Thirty-first Day of *May* One thousand eight hundred and forty-five, whereby, for the Considerations therein mentioned, it was agreed that no Petty Customs should be exigible by the said Magistrates and Council upon Goods, Animals, Matters, or Things *in transitu* on certain Portions of the Main Line of the said Railway which pass through the Territory of the said Burgh of *Kirkcaldy*; but that such Exemption shall not extend to any Goods brought into or carried out of the said Burgh from or to different Stations of the said Railway: Be it enacted, That the said Agreement is and shall be valid and binding as between the said Provost, Magistrates, and Council, and their Successors in Office, and the Company: Provided always, that, save as aforesaid, nothing in this or the said recited Acts contained shall extend or be construed to extend to alter, prejudice, diminish, or affect the Rights, Privileges, Jurisdictions, Immunities, and Authorities possessed and enjoyed by the Magistrates and Town Council of the Royal Burgh of *Kirkcaldy* under Acts of Parliament, Royal Charters, immemorial Usage, or otherwise.

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.

XXXIV. 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.

XXXV. And

Railway not exempt from Provisions of future general Acts.

XXXV. 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 Fares and Charges authorized by this Act.

Expenses of Act.

XXXVI. 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.

Public Act.

XXXVII. 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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