ANNO PRIMO & SECUNDO

# VICTORIÆ REGINÆ.

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## *Cap*. lx.

## An Act for altering and amending several Acts relating to the *Garnkirk* and *Glasgow* Railway; and for enabling the Company to raise a further Sum of Money. [4th *July* 1838.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making a Railway from the* Monkland *and* Kirkintilloch *Railway, by* Garnkirk, *to* Glasgow, whereby certain Persons were incorporated by the Name and Style of "The *Garnkirk* and *Glasgow* Railway Company," and were thereby authorized to raise the Sum of Twenty-eight thousand four hundred and ninety-seven Pounds Seventeen Shillings and Four-pence Sterling, in Shares, and to borrow the further Sum of Ten thousand Pounds for the Purposes of the said Railway: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His said late Majesty King *George* the Fourth, intituled *An Act for altering and amending the* Garnkirk *and* Glasgow *Railway Act*, whereby the said Company were authorized to alter the Line of the said Railway, and to raise a further Sum of Nine thousand three hundred and fifty Pounds Sterling in Shares, and also a further Sum of Eleven thousand Pounds Sterling in Shares, in the event of the Railway being laid with a double Line of Rails: And whereas another Act was passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth, intituled *An Act for amending certain Acts for making*

7 G. 4. c. 103.

7 & 8 G. 4. c. 88.

11 G. 4 c. 125.

*making the* Glasgow *and* Garnkirk *Railway, and for raising a further Sum of Money*, whereby the said Company were authorized to raise a further Sum of Money, amounting to Twenty-one thousand one hundred and fifty Pounds Sterling, either by the Creation of new Shares or Stock in the said Undertaking, or by borrowing Ten thousand Pounds Sterling thereof, and creating new Shares to the Extent of the Remainder of the said Twenty-one thousand one hundred and fifty Pounds: And whereas the whole of the aforesaid Sums of Money, amounting in all to Seventy-nine thousand nine hundred and ninety-seven Pounds Seventeen Shillings and Four-pence, have been raised, to the Extent of Forty-nine thousand and forty-seven Pounds Seventeen Shillings and Four-pence, by the Creation of Shares, and by borrowing the Remainder: And whereas the said Railway has been made with a double Line of Rails from the *Monkland* and *Kirkintilloch* Railway to the Town-head of *Glasgow*, and the said Company or their Committee of Management have provided extensive Accommodation for the Traders and Travellers thereon, with a large Supply of Engines, Waggons, and Carriages, and also Offices, Houses, and other Buildings at *Gartsherrie* and *Saint Rollox*, with various Wharfs, Depôts, Workshops, and other necessary Establishments, whereby, and by reason of the Accumulation of Interest before the Revenues became effectual, and of various unforeseen Claims and Expences, further Debts or Sums of Money have arisen or been required to be provided for by the said Company, and it is necessary and expedient that the said Company should be enabled to make Provision for the same, and to have their Powers of borrowing extended, and to have the Terms, Powers, and Provisions of the said recited Acts enlarged, altered, and amended; but as these Purposes cannot be effected without the Aid and Authority of Parliament, 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 it shall be lawful for the said Company and they are hereby authorized and empowered, from Time to Time, and pursuant to the Resolutions of any General Meetings of the said Company duly assembled, to raise, by the Creation of new Stock, in addition to the Sums or Shares already subscribed and paid by and at the Credit of the several Proprietors in the said Railway, any Sum or Sums of Money not exceeding in all the Sum of Eighty-nine thousand one hundred and ninety-eight Pounds Six Shillings and Nine-pence Sterling, to answer the total Amount of the present Cost and Expence of the said Railway and other Works and Accommodation before referred to, and which Sum or Sums so to be raised shall be laid out and applied in discharging the existing Engagements of the said Company, or of the Committee of Management of the said Company.

Company empowered to raise a further Sum by Creation of new Stock.

Money may be borrowed.

II. And be it enacted, That it shall be lawful to the said Company and they are hereby authorized and empowered to raise by way of Loan or Mortgage any Sum of Money not exceeding One-third Part of the Capital Stock which the said Company are by the said recited Acts and this Act empowered to raise and contribute, but it

it shall not be lawful to the said Company to raise any further Sum by Loan or Mortgage beyond the Sums already borrowed by them in virtue of the said recited Acts, until the whole of the Capital authorized by the said recited Acts and this Act to be raised and contributed shall have been subscribed, and Fifty *per Cent.* on such Capital shall have been paid up; and for any Sum or Sums to be so borrowed it shall be lawful to the said Company to assign and convey the said Railway and other Works and Property of the said Company, and the Rates arising or to arise thereon by virtue of the said recited Acts and this Act, or any Part thereof, (the Costs and Charges of assigning the same to be paid out of such Rates,) as a Security for any such Sum or Sums of Money to be borrowed as aforesaid, to such Person or Persons, or to his, her, or their Trustee or Trustees, who shall advance the same; and any Assignments to be granted in Security of such Sums, and the Transferences to be made of such Assignments, shall and may be made in pursuance and in Terms of the Powers and Directions to that Effect contained in the said first-recited Act; and all Persons to whom any such Assignments shall hereafter be made under this Act shall be equally entitled one with the other to their Proportions of the said Rates and Property, according to their respective Sums in such Assignments mentioned to be advanced, without any Preference by reason of Priority of any such Assignments, or on any other Account.

Dividends may be guaranteed.

III. And be it enacted, That it shall and may be lawful to the said Company, pursuant to the Resolutions of any General Meeting or Meetings at which it may be resolved to raise any Part of the said additional Stock, to guarantee, or provide, stipulate, and secure, by a Resolution to that Effect, to the Subscribers or Holders of the same, or of all or any Part of the Stock so to be raised, a Dividend or Dividends thereon not exceeding so far as guaranteed the Sum of Five Pounds *per Centum per Annum* on such additional Stock, which Dividends, so far as guaranteed, shall be a Burden and Charge on all the other Revenues of the said Company, and shall be paid in preference to all Dividends on any of the former Stock or Shares, and the Holders of the said new or guaranteed Stock shall be always entitled to receive their Proportions of any Dividend or Per-centage which the said Company may from Time to Time make or declare in any Year to the Proprietors at large, in so far as such general Dividend may exceed the guaranteed Rate; but the Holders of the said new or guaranteed Stock shall on no account be entitled to receive any larger or higher Rate of Dividend in any One Year than the Amount of the Rate so guaranteed, until the Holders of the other Stock shall receive or draw in the same Year a like Amount of Dividend with the guaranteed Rate; and the whole surplus Revenues, after paying or amounting to the guaranteed Rates, on the whole Stock, guaranteed and unguaranteed, shall belong equally to and be divisible among the Proprietors at large; and the Holders of the said new or guaranteed Stock shall in every respect, but in proportion only to the Amount of Stock held by them, and for each Fifty Pounds, or if the Company shall exercise the Power of dividing the Shares hereinafter conferred, for each Twenty-five Pounds thereof, be entitled to all the Privileges and Advantages and Powers of voting and transferring

ferring their Stock which are in any way competent or belong to the Proprietors of all or any of the original Stock of the said Company; but no Holder of any less Sum than Fifty Pounds, or Twenty-five Pounds as aforesaid, shall be entitled to attend and vote at any Meeting of the said Company; and no fractional Part or Amount of Stock, being less than Fifty Pounds or Twenty-five Pounds, as aforesaid, shall entitle the Holder to any Vote or Voice in any way in respect thereof in the Affairs in the said Company.

Right of Pre-emption secured to old Proprietors.

IV. Provided always, and be it enacted, That when the said Company shall resolve to create and sell any new or additional Stock, then the said Company shall, as soon as any Resolution shall be made to that Effect, intimate the same, and the Amount of the Principal Sum or Debt so resolved to be converted into Stock, by circular Letters addressed to each Proprietor of the original Stock or Shares of the said Company, and shall, before receiving or contracting to receive Payments of any such new or guaranteed Stock, put it in the Power of every Proprietor of any of the original Stock or Shares of the said Company, One Month at least before carrying the Resolution into effect, to purchase, pay for, and hold a Portion of the Stock so resolved to be raised in proportion to the Amount of Stock or Capital already paid, and at his or their Credit in the Books of the said Company.

Shares may be divided.

V. And be it enacted, That it shall and may be lawful to the said Company, pursuant to the Resolution of any General Meeting, to divide each Share of Fifty Pounds of the Stock of the said Company, whether original or new, into Shares of Twenty-five Pounds each, if they shall see fit, for the Purpose of more easily transferring the same, but so as not in any way to confer upon the Holders of such Shares, whether divided or not, any more extensive or other Right in voting or administering the Affairs of the said Company in any manner of way beyond what they possess under all or any of the said recited Acts.

Time and Mode of calling General Meetings.

VI. And be it enacted, That notwithstanding of it being appointed by the said first-recited Act that all Meetings of the said Company shall be held at Two of the Clock, it shall be lawful for the said Company or their Committee of Management, at any Time they shall see fit, to fix such other Hour or Hours as may be found more convenient and suitable for such Meetings, and it shall not be necessary hereafter to fix the Day and Place of General Meetings of the said Company at the preceding Meeting, as is provided in the said first-recited Act, but the same may be fixed and called by the Committee of Management as they may see most expedient and necessary, Notice of all General Meetings being always given at least Ten Days previous to the Time appointed for their taking Place, once in any Two of the longest established Newspapers, or reputed longest established or best circulated Newspapers published in *Glasgow*, and in any One of the *Edinburgh* Newspapers, or by written or printed Notices addressed to the usual Place of Business or Abode of each Proprietor, and put into the Post Office at *Glasgow* at least Ten Days previous to such General Meeting.

VII. And

Proxies.

VII. And be it enacted, That no Person shall be entitled to vote at any of the Meetings of the said Company as the Proxy of any Person or Corporation as aforesaid, unless the Instrument appointing such Proxy shall have been transmitted to and received by the Secretary of the said Company Two Days at least before the holding of the Meeting at which such Instrument is intended to be used.

Reduction of Rates on certain Distances.

VIII. And be it enacted, That it shall be lawful for the said Company to reduce the Rates authorized by the said first-recited Act to be leviable on all Articles carried along the said Railway a Distance of Three Miles from Sixpence *per* Ton to such other Rate as the said Company may think proper.

Additional Wharfages granted.

IX. And whereas the Rates granted by the said first-recited Act for the Use of Wharfs and Depôts are inadequate and insufficient; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to the said Company to demand, levy, and take any Sum not exceeding the Sum of One Penny Sterling *per* Day, or for any less Space of Time, for each Ton of Goods of any Description which shall be or remain on any of the Wharfs or Depôts made or belonging to the said Company, for each Day or Part of a Day the same shall remain therein or thereupon; and to let and assign to any Trader or Traders, for any Period not exceeding Twelve Months, as they shall see fit, and for such Period as may be agreed on, for the exclusive Use of such Trader, any such Area or Space of their Wharfs or Depôts as may be agreed on, and to demand and take a Wharfage or Rate or Rent therefor at a Rate not exceeding One Shilling *per Annum* for each Square Yard of the Area or Flat of the Depôt, Wharf, or other Property, or such other Rate as may be agreed on by and between such Trader and the said Company; and also a reasonable Rent or Charge for any Office, Warehouse, or Shed, and for the Use of any Crane, Weighing Machine, or other Machinery, Buildings, or Erections connected with such Depôts, and required for the Use of such Traders, or the Accommodation of Goods entering, leaving, or deposited in such Depôts, Wharfs, or Buildings; and the said Company shall and may have, use, and take all such and the same Means for Recovery of the said Wharfage or Depôt, and other Rates or Rents, as are by any of the said recited Acts or this Act given or granted for Recovery of any other Dues or Rates belonging to or exigible by the said Company, any thing in the said recited Acts or any of them to the contrary notwithstanding.

Rates to be charged equally.

X. And whereas the Traffic on certain Portions of the said Railway is in part carried on by Horses instead of locomotive Engines, and Inconvenience and Interruption is occasioned thereby to the general Trade using the whole Line: And whereas Three Miles of the Western Part of the said Railway is on an Inclined Plane, and is more expensive to maintain and work with Engine Power than other Parts thereof, and the said Company have therefore been in use on these Accounts to charge a small additional Rate in consideration thereof, but never to the Amount of the Rates leviable under the said recited Act; be it therefore enacted,

enacted, That the said Company may continue as heretofore to charge additional Rates on such Portions of the said Railway; but, with such Exceptions, the Rates or Tolls and Charges to be taken and made for the Use of the said Railway, or for the Carriage of any Passengers, Goods, Animals, or other Matters or Things to be conveyed by the said Company, or for the Use of any Steam Power or Carriage to be supplied by the said Company, shall be at all Times charged equally to all Persons, and after the same Rate *per* Mile or *per* Ton *per* Mile, or after any other Manner in which such Rates and Charges are by this Act and the said recited Acts directed or authorized to be taken or charged, throughout the whole of the said Railway, in respect of all Passengers, and of all Goods, Animals, or Carriages of a like Description, and conveyed or propelled by a like Carriage or Engine; and no Reduction or Advance in any of the Rates or Tolls by this or by the said recited Acts allowed, or in any Charge for Conveyance by the said Company, or for the Use of any locomotive Power to be supplied by them, shall be made either directly or indirectly in favour of or against any particular Company or Person, or be confined to any particular Part of the said Railway, excepting as herein-before authorized; but every Reduction or Advance in any Rate, Toll, or Charge to be taken by the said Company in respect of Passengers, or any Description of Goods, Carriages, or Animals, carried on the Railway, or for the Use of any Carriage or locomotive Power, shall extend to and take place, except as aforesaid, at the same Time throughout the whole and every Part of the said Railway, in respect of such Passengers, Goods, Carriages, Animals, or locomotive Power, as the Case may be.

Small Parcel Rates.

XI. And be it enacted, That it shall be lawful for the said Company from Time to Time to make such Orders for fixing and by such Orders to fix the Sum to be charged by the said Company in respect of small Parcels (not exceeding Five hundred Pounds Weight each) as to them shall seem proper: Provided always, that such Charge shall not extend to Articles, Matters, or Things sent in large aggregate Quantities, although made up of separate and distinct Parcels, such as Bags of Sugar, Coffee, Meal, and the like, but only to single Parcels which may be sent upon the Railway at the same Time.

Engines and Waggons may be provided.

XII. And be it enacted, That it shall be lawful for the said Company to provide Waggons and other Carriages and locomotive Engines or other Power, for the drawing or propelling of any Articles, Matters, or Things, Persons, Cattle, or Animals, and also Waggons and Carriages, upon the said Railway, and also along or upon any other Railway communicating therewith, and to receive, demand, and recover such Sums of Money for the Use of such Engines or other Power, Waggons or other Carriages, as the said Company shall think proper, in addition to the several other Rates, Tolls, or Sums by this Act or by the said recited Acts authorized to be taken.

Railway not to cross

XIII. And be it enacted, That where in any Line to be formed or Works to be executed by the said Company after the passing of this Act,

Act, by virtue of the said recited Acts or this Act, the said Railway shall cross any Turnpike Road or public Carriageway, either such Turnpike Road or public Carriageway shall be carried over the said Railway, or the said Railway shall be carried over such Road or Way, at the Expence of the said Company, by means of a Bridge or Tunnel, of such Height and Width, and with an Ascent or Descent of not more than One Foot in Thirty Feet in the Case of Turnpike Roads, and of not more than One Foot in Twenty Feet in the Case of public Carriageways: Provided always, that this Enactment shall not apply to or affect any Line or Lines of Railway actually formed and in use.

Turnpike Roads or public Carriage-ways on a Level.

XIV. And be it enacted, That when Goods or other Articles are seized and retained by the said Company or their Agents for Payment of any of the Tolls, Rates, or Duties authorized by this or by the said first-recited Act, it shall be lawful for the said Company to cause any licensed Auctioneer to sell the same on Six Days Notice given in any *Glasgow* Newspaper, and by printed Handbills publicly circulated in the Neighbourhood, provided the Articles so detained or seized are estimated by the said Auctioneer to be of the Value of Five Pounds Sterling or upwards, and if the said Articles are not so estimated then Two Days previous Notice by Handbills alone, circulated as aforesaid, shall be sufficient; and Seizure and Sale may be made for Payment of the Tonnage and other Rates, and all Arrears thereof, due by the Owner or ostensible Owner of the Goods or other Articles so seized, to the said Railway Company or their Lessees, for the Use of the said Railway, or for the Use of any Carriages or Engines or other Machinery, or of any Wharfs, Depôts, or Warehouses belonging to the said Company, and for the reasonable Charges of detaining and selling such Goods or other Articles; the Amount of all which Rates, Duties, and Expences shall be ascertained, in Cases of Dispute, and the Surplus accounted for, in the Manner provided by the said first-recited Act.

As to distraining Goods for Rates.

XV. And be it enacted, That it shall be lawful for any Two Justices of the Peace of the County of *Lanark*, and they are hereby required, on the Application of the said Company, to appoint from Time to Time such fit and proper Persons as they shall think proper to be Special Constables within the said Railway and other Works, and every or any Part thereof; and every Person so appointed shall make a solemn Declaration, to be administered by any One Justice of the Peace, duly to execute the Office of a Constable for the said Premises; and every Person so appointed, and having made such Declaration as aforesaid, shall have Power to act as a Constable for the Preservation of the Peace, and for the Security of Persons and Property against Felonies and other unlawful Acts, within the Limits of the said Premises, and within Half a Mile therefrom, and shall have, use, exercise, and enjoy all such Powers, Authorities, Protections, and Privileges, for the apprehending of Offenders, as well by Night as by Day, and for doing all Acts, Matters, and Things, for the Prevention, Discovery, and Prosecution of Felonies and other Offences, and for the Preservation of the Peace, as Constables duly appointed now have by the

Justices to appoint Special Constables.

the Laws and Statutes of this Kingdom; and it shall be lawful for any Two Justices of the said County to dismiss or remove any such Constable from his Office of Constable, and upon every such Dismissal or Removal all Powers, Authorities, Protections, and Privileges by virtue of such Appointment as aforesaid vested in any Person so dismissed or removed shall wholly cease; and every Person so appointed by such Justices as aforesaid shall, during such Time as he shall act as Constable for the Purposes aforesaid, receive from the said Company such Salary as the said Justices shall appoint, and such Salary shall be payable at such Times and in such Manner as the said Justices shall appoint, and shall be recoverable in the same Manner as Damages are by the said first-recited Act directed to be recovered.

Sheriff of Lanarkshire and Magistrates of Glasgow to have equal Jurisdiction with Justices.

XVI. And be it enacted, That in all Cases in which Provision is made by the said recited Acts or this Act for any Procedure before the Justices of the Peace for the County, for Punishment of Offences against the said Acts or Regulations thereby authorized, such Procedure may and shall be equally competent before the Sheriff of the County of *Lanark*, or any Judge or Magistrate of the City of *Glasgow*.

Fines may be applied to charitable Purposes.

XVII. And be it enacted, That notwithstanding it is provided by the first-recited Act that Fines recovered for Infringements thereof, and of the Regulations thereby authorized, shall belong to the said Company, it shall be competent for the said Company, or the Judge inflicting such Fines, on the Request of the said Company, to apply the same to any charitable or other useful Purpose which the said Company may think proper.

Gunpowder, &c., to be marked.

XVIII. And for the better preventing of Accidents or Injury which might arise on the said Railway and Works from the unsafe and improper Carriage of certain Goods and Merchandize upon the same, be it enacted, That every Person who shall send or cause to be sent by the said Railway any Aquafortis, Oil of Vitriol, Gunpowder, or other Goods of a dangerous Nature, shall distinctly mark or state the Nature of such Goods on the Outside of the Package containing the same, or shall otherwise give Notice in Writing to the Book-keeper or other Servant of the said Company with whom the same shall be left, at the Time such Goods are sent, on pain of forfeiting for every Default the Sum of Ten Pounds: Provided always, that the said Company shall not be compelled or compellable to carry upon the said Railway any Gunpowder or other Goods which, in the Judgment of the said Company, shall be of a dangerous Nature; and it shall be lawful for the said Company to restrain any other Persons from carrying thereon Gunpowder or other such Goods as aforesaid.

Cattle, &c. not to be led or driven on the Railway.

XIX. And be it enacted, That if any Person (save and except the said Company and their Agents, and other Persons authorized by them, and by them authorized for the Purposes only of the said Undertaking) shall ride, lead, or drive, or cause to be led, ridden, or driven, or shall aid or assist in leading or driving, or shall permit or suffer

suffer to be upon the said Railway or any Part thereof, any Horse, Mule, or Ass, or any Cow or other Neat Cattle, Sheep, Swine, or any other Beast or Animal, (except only in directly crossing the same at any Roads or other Places crossing the said Railway for the Occupation of Lands,) every Person so offending shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence, any thing in any of the said recited Acts to the contrary notwithstanding.

Railway not to be used as a Foot-path.

XX. And be it enacted, That if any Person shall be or travel or pass upon Foot upon the said Railway, Depôts, or Works therewith connected, without the Licence and Consent of the said Company, unless in crossing the said Railway by any authorized Road or Footway, every Person so offending shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Penalty for Obstructions, &c.

XXI. And be it enacted, That if any Person shall throw, place, or wilfully scatter or drop, any Metal, Gravel, Stone, Rubbish, or other Matter or Thing upon any Part of the said Railway or Works, or shall extinguish any Light or Lamp set up on or near the said Railway or Works, or on any Carriage or Engine thereon or thereto belonging, (unless by Authority of the said Company,) he, and every Person actually or constructively aiding or assisting therein, shall respectively forfeit and pay any Sum not exceeding Ten Pounds nor less than Five Pounds for every such Offence.

Penalty on Drunkenness.

XXII. And be it enacted, That if any Person in the Service of the said Company for the Time being shall be found on any Part of the said Railway, or within any of the Stations, Warehouses, or other Premises connected therewith, in a State of Drunkenness, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds and not less than Ten Shillings.

Transient Offenders how to be secured.

XXIII. And be it enacted, That it shall be lawful for any Officer or Agent of the said Company, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Officer or Agent who shall commit any Offence against this Act or any of the said recited Acts, or the Bye Laws and Regulations thereby authorized, and convey him with all convenient Dispatch before the Sheriff of the County of *Lanark* at *Glasgow*, or the Magistrates of *Glasgow*, or any other Magistrate or Justice of the Peace of the said County, without any Warrant or other Authority than this Act; and such Sheriff, Justice, or other Magistrate is hereby empowered and required to proceed with all convenient Dispatch to the hearing and determining of the Complaint.

Bye Laws to be approved of by the Sheriff.

XXIV. And be it enacted, That all Bye Laws, Orders, Rules, and Regulations made by the said Company by virtue of the said recited Acts shall after the passing of this Act be approved of by the Sheriff or Sheriff Substitute of the County of *Lanark*, who is hereby authorized and required to approve or disapprove of the same, as shall appear just; and all such Bye Laws, Orders, Rules, and

Regulations hereafter to be made by virtue of this and the said recited Acts shall, before the same shall come into operation, or be valid and effectual, be so approved of by the said Sheriff or his Substitute.

Penalty on Witnesses not attending, &c.

XXV. And be it enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Magistrate touching any Matter or Fact contained or involved in or affecting any Complaint laid in pursuance of or for any Offence committed against this Act or the said recited Acts, or any Matter which is hereby or by the said Acts referred to any Magistrate on the Part of the Prosecutor, or on the Part of the Party summoned or accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his Expences, without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or in the Case of a Quaker on Affirmation), to give Evidence before such Magistrate, then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Company's Servants may interfere to prevent Danger.

XXVI. And be it enacted, That it shall be lawful for the said Company, or their Servants or Officers, in every Case of Infraction or Non-observance of any of their Rules or Regulations which shall be attended with Danger to the Public or Annoyance to Travellers, or which shall obstruct or hinder the said Company in their due and lawful Use and working of the said Railway, summarily to interfere, and to obviate such Danger, or to remove or prevent such Obstruction, Nuisance, or Hindrance.

Bye Laws may either be painted or printed.

XXVII. And be it enacted, That the Rules, Bye Laws, Regulations, or Orders of the said Company, and also the Tables of Rates, Tolls, and Duties leviable by the said Company, directed by this or by the said recited Acts to be legibly painted on Boards, shall and may be either so painted upon Boards or legibly printed upon Paper and placed upon Boards, and affixed and published upon the several Toll Houses and Buildings or other public Places on the said Railway, and renewed from Time to Time, as directed by the said first-recited Act.

List of Penalties to be made public.

XXVIII. And be it enacted, That a List of all Penalties, Fines, and Forfeitures imposed by this or the said recited Acts, or by any Bye Law of the said Company, and of Offences for which they are payable (except such as relate solely to the said Company, or to the Proprietors or Directors thereof,) shall, before the same shall be recoverable or imposed, be painted upon Boards, or printed and hung up or affixed in the Front or other conspicuous Part of the several Toll Houses erected or to be erected on the said Railway, and shall be renewed as often as the same or any Part thereof shall be obliterated or destroyed.

Costs of Act.

XXIX. And be it enacted, That all the Costs and Charges of obtaining and passing this Act shall be paid and defrayed by the said Company out of the Monies, Tolls, or Rates received, or may be added to

to the Stock hereby authorized to be raised and paid out of the same accordingly.

XXX. And be it enacted, That the Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others. Public Act.

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