ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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and if some of the Powers and Provisions of the said recited Acts were repealed, amended, and enlarged; but these Objects cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be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 the said recited Acts, and the several Acts therewith incorporated, shall, so far as not inconsistent with or otherwise provided by this Act, be incorporated with and form Part of this Act.

Recited Acts, &c. incorporated with this Act.

Saving Rights.

II. Provided always, and be it enacted, That nothing in this Act contained shall be held to qualify, alter, or prejudice the Rights or Interests of the *Edinburgh and Glasgow* Railway Company and the *Stirling and Dunfermline* Railway Company under the said first-recited Act.

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Stirling and Dunfermline* Railway (Deviation, Extension of Time, and Amendment,) Act, 1849."

Power to make new Works.

IV. And whereas Plans and Sections of the Deviation or Alteration of the Branch Line of Railway to *Alloa* Harbour, and of the Diversions and Alterations of the private Railways herein-after mentioned, showing the Lines and Levels thereof, and Books of Reference thereto respectively, containing the Names of the Owners and Lessees or reputed Owners and Lessees and Occupiers of the Lands through or upon which the same and the Works to be connected therewith are to pass or be situate, have been deposited with the Sheriff Clerk of the County of *Clackmannan*, at his Office in *Alloa*: Be it enacted, That, subject to the Provisions contained in the said recited Acts and the Acts therewith incorporated, it shall be lawful for the Company to make and maintain the said Deviation or Alteration of the said Branch Line of Railway, and also to divert and alter the Sites or present Lines of the private Railways shown on the said Plan as intended to be so diverted and altered, and to execute all other Works and Conveniences connected therewith, in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purposes, and which said Deviation or Alteration of the Branch Line of Railway to *Alloa* Harbour shall be in lieu and substitution of those Portions of the said Branch Line of Railway to be relinquished as herein-after provided, and the same, together with the Diversions and Alterations of the said private Railways, shall be subject to all the Provisions of the said first-recited Act as if the same had originally formed a Portion of the Railways and Works thereby authorized.

Line of Railway.

V. And be it enacted, That the Deviation from or Alteration of the Branch Line of Railway to *Alloa* Harbour authorized by the said first-

first-recited Act to be made and maintained under the Authority of this Act shall commence at a Point on the Main Line of the said *Stirling and Dunfermline* Railway at or near to the Town of *Alloa*, and terminate at or near to the Harbour and Ferry of *Alloa*, all in the Parish of *Alloa* and County of *Clackmannan*.

Part of Works formerly authorized may be abandoned.

VI. And be it enacted, That it shall be lawful for the Company and they are hereby required to relinquish such Portions of the Works on the said Branch Line of Railway to *Alloa* Harbour authorized by the said first-recited Act as may be superseded and rendered unnecessary by the Construction of the Deviation Line or new Portion of Railway above described.

Compensation to be made where Contracts have been entered into or Notices given.

VII. Provided always, and be it enacted, That in any Case where before the passing of this Act any Contract has been entered into or Notice given by the Company for purchasing any Lands which the Company were by the said first-recited Act empowered to purchase, for the Purpose of constructing the Portion of the said Branch Line of Railway so authorized to be abandoned as aforesaid, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice, and the Amount and Application of such Compensation shall be determined in the Manner provided by the Lands Clauses Consolidation (*Scotland*) Act, 1845, for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided also, that the Authority hereby given for abandoning the Formation of the aforesaid Portion of the said Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions for that Purpose in the Lands Clauses Consolidation (*Scotland*) Act, 1845, contained.

Company may divert and alter certain private Railways.

VIII. And be it enacted, That the private Railways by this Act authorized to be diverted and altered are the following:

First, the private Railway at or near to the North Side of the Town of *Alloa*, numbered 80, Parish of *Alloa*, on the Plan and in the Book of Reference of the Main Line of the said Railway referred to in the said first-recited Act as deposited in the Office of the Sheriff Clerk of the County of *Clackmannan*, so that such private Railway may be carried over the Main Line of the said Railway in or near to the Arable Field numbered 106 of said Parish of *Alloa* on the said Plan and in the said Book of Reference of the Main Line of the said Railway:

Second, the private Railway at or near to *Hilton* or *Hillend*, numbered 28, Parish of *Clackmannan*, on the said Plan and in the said Book of Reference of the Main Line of the said Railway,

Railway, so that such private Railway may be carried under the Main Line of the said Railway at or near to where it crosses the same as shown on the said Plan:

Third, the private Railway at or near to the South End of the Village of *Sauchie*, numbered 210, Parish of *Alloa*, on the Plan and in the Book of Reference of the Branch Line of the said Railway to *Tillicoultry*, referred to in the said first-recited Act as deposited in the Office of the Sheriff Clerk of the said County of *Clackmannan*, so that such private Railway may be carried under the said Branch Railway at or near to the Arable Field numbered 213 of said Parish on the said Plan and in the said Book of Reference of the said Branch Line of Railway to *Tillicoultry*:

Fourth, the private Railway at or near to the North End of the Village of *Sauchie*, numbered 34, Parish of *Clackmannan*, on the said Plan and in the said Book of Reference of the said Branch Line of the said Railway to *Tillicoultry*, so that such private Railway may be carried under the said Branch Railway at or near to where it crosses the same as shown on the said Plan:

Fifth, the private Railway at or near to the *Clackmannan* Brickworks, numbered 8, Parish of *Clackmannan*, on the Plan and in the Book of Reference of the Deviation of the Main Line of the said Railway at *Tullygarth*, referred to in the said second-recited Act as deposited in the Office of the said Sheriff Clerk of the County of *Clackmannan*, so that such private Railway may be carried under the said Deviation of the Main Line of the said Railway at or near to the Tile Sheds and Yard numbered 10 of said Parish on the Plan and in the Book of Reference of the said Deviation of the Main Line of the said Railway.

Period for compulsory Purchase of Lands limited.

IX. And be it enacted, That the Powers for the compulsory Purchase of Lands for the Purposes of the new Works by this Act authorized shall not be exercised after the Expiration of Three Years from the passing of this Act.

Certain Roads may be crossed on the Level.

X. And be it enacted, That it shall be lawful for the Company to carry the Deviation or Alteration of the Branch Line of Railway by this Act authorized across the Surface of the following Roads and private Railways, numbered on the Plans deposited as aforesaid as after mentioned; *videlicet*,

In the Parish of *Alloa*, the Road numbered $\frac{168}{2}$:
In the Parish of *Alloa*, the Road numbered 198:
In the Parish of *Alloa*, the private Railways numbered 177—177—177.

Stations or Lodges to be erected at Level Crossings.

XI. And be it enacted, That the said Company shall, for the greater Convenience and Security of the Public, erect and permanently maintain either a Station or a Lodge at the Points where the said Railway shall cross on the Level the before-mentioned Roads; and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which

Trains

Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect or at all Times to maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by 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.

Commissioners of Railways may require a Bridge to be erected in lieu of level Crossing.

XII. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Railways, if it shall appear to them to be necessary for the public Safety, at any Time, either before or after the Railway hereby authorized to be carried across the said Roads on the Level shall have been completed and opened for public Traffic, to require the Company, within such Time as the said Commissioners shall direct, and at the Expense of the Company, to carry any or either of the herein-before mentioned Roads either under or over the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Commissioners best adapted for the moving or diminishing the Danger arising from any such level Crossing.

Company not to obstruct Access to Ferry at Alloa, or to extend their Works nearer the Pier, without Consent of Admiralty.

XIII. And be it enacted, That the said Company shall not in any Manner obstruct the public Roadway to and from the Ferry at *Alloa*, and shall not extend any of their Works nearer the Piers than the Termination of the Black continuous Line marked on the Parliamentary Plan deposited by the Company, unless with the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral, to be signified in Writing under the Hand of the Secretary of the Admiralty.

Works below High-water Mark not to be executed without the Consent of the Lords of the Admiralty.

XIV. And be it enacted, That it shall not be lawful for the Company at any Time or Times to construct below High-water Mark at ordinary Spring Tides any Work whatever, without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such detailed Plans and Working Drawings, and under such Restrictions and Regulations, as the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, may approve of, such Approval being signified as last aforesaid; and where any such Work shall have been constructed it shall not be lawful for the Company at any Time to alter or extend the same, without obtaining previously to making any such Alteration or Extension the like Consent or Approval; and if any such Work shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral,

to abate and remove the same, 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 to the Crown, and be recoverable accordingly, with Costs of Suit.

Admiralty may order local Survey, at Expense of Company.

XV. And be it enacted, That if, after Working Drawings of the Works hereby authorized which affect tidal Water 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.

If Works constructed across tidal Waters are abandoned, Admiralty may remove them, at Expense of the Company.

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

Regulating Inclinations to certain Bridges.

XVII. And be it enacted, That it shall be lawful for the Company to alter the Inclinations of the Road numbered 168 in the Parish of *Alloa* on the Plans deposited as aforesaid, but so that the same shall not be steeper than One Foot in Seventeen Feet.

Prescribing Rate of Inclination of certain Railways.

XVIII. And be it enacted, That it shall be lawful for the Company, in the Construction of the Diversions and Alterations of the private Railways numbered respectively on the Plans deposited as herein-before mentioned, to make the Inclinations of the said private Railways, and the Dimensions of the Bridges by which the same are carried over or under the Railway, as follows; *videlicet*,

The private Railway numbered 80, Parish of *Alloa*, not steeper than One Foot in Forty-eight, and the Bridge not less than Eight Feet between the Parapets:

The private Railway numbered 28, Parish of *Clackmannan*, not steeper than One Foot in Fifty, and the Bridge not less than Eight Feet high and Eight Feet Span:

The private Railway numbered 210, Parish of *Alloa*, not steeper than One Foot in One hundred, and the Bridge not less than Eight Feet high and Nine Feet Span:

The private Railway numbered 34, Parish of *Clackmannan*, not steeper

steeper than One Foot in Thirty, and the Bridge not less than Nine Feet high and Eight Feet Span:

The private Railway numbered 8, Parish of *Clackmannan*, not steeper than the present Line, and the Bridge not less than Ten Feet high and Eight Feet Span.

Period for Completion of Works.

XIX. And be it enacted, That the said Deviation or Alteration of the Branch Line of Railway, and the other Works by this Act authorized, shall be completed within Four Years from the passing of this Act; and on the Expiration of such Period the Powers by this or the recited Act granted to the Company for executing the said Deviation or Alteration of the Branch Line of Railway and other Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Deviation or Alteration of the said Branch Line of Railway and other Works as shall then be completed.

Extending the Time for the Completion and compulsory Purchase of Lands for a Portion of the Railway.

XX. And be it enacted, That the Time granted by the said first-recited Act for the compulsory Purchase and taking of the Lands necessary for the Completion of so much of the said Railway and other Works thereby authorized to be made, commencing from at or near the Gasworks in the Burgh of *Stirling*, and from the Point of Junction with the *Scottish Central* Railway near to the new Bridge at *Stirling*, and terminating at the Point of Divergence of the Branch of the said Railway to *Tillicoultry* at or near to the Town of *Alloa*, excepting such Lands as are situate to the South of the North End of the Bridge of the *Scottish Central* Railway over the River *Forth* at *Stirling*, shall be continued, extended, and enlarged for the Term of Three Years, to be computed from the Expiration of the Time granted by the said first-recited Act.

Existing Contracts and Notices to take Lands not to be affected by the Extension of Time.

XXI. Provided also, and be it enacted, That the Extension of Time hereby authorized shall not in anywise prejudice or affect any Contract entered into or Notice given by the Company before the passing of this Act for purchasing, taking, or using any Lands which under the said recited Acts the Company is entitled to purchase, take, or use, but every such Contract and Notice respectively shall be construed and shall take effect, and the same Proceedings shall be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, both at Law and in Equity, as if such Extension of Time had not been authorized as aforesaid.

Parties injured by Extension of Time being granted may have Compensation for additional Damage.

XXII. Provided always, and be it enacted, That the Sheriffs, Arbiters, Oversmen, or Juries respectively, as the Case may be, who under the Provisions of the said first-recited Act or this Act shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Persons interested in any of the Lands for the compulsory Purchase of which the Time is hereby extended, and which shall be taken or used for the Purposes of the Railway or Works by the said first-recited Act authorized, or which may be injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard

to

to and make Compensation for the additional Damage (if any) sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time hereby authorized: Provided always, that the Amount of such additional Compensation (if any) shall not be considered Part of the Expenditure incurred in constructing the *Stirling and Dunfermline* Railway, as contemplated by the Provisions of Lease contained in the *Stirling and Dunfermline* Railway Act, 1846.

As to Junction between the Railway and the Scottish Central Railway.

XXIII. And be it enacted, That the Junction of the Railway by the said first-recited Act authorized with the Line of the *Scottish Central* Railway shall be made at or near to the North End of the *Scottish Central* Railway Bridge over the River *Forth* at *Stirling*, and shall be executed and completed at the Sight and to the Satisfaction of the Engineer for the Time being of the *Scottish Central* Railway Company, and according to a Plan to be approved of by him previously to the Commencement of the Works connected with such Junction.

Company may use Part of Line of Scottish Central Railway.

XXIV. Provided always, and be it enacted, That in the event of such Junction being formed as aforesaid it shall be lawful to the Company to use the Line of the *Scottish Central* Railway from the said Point of Junction Southwards into the Station thereof at *Stirling*, upon Payment of Tolls equal to One Fourth Part of the Tolls which under the *Scottish Central* Railway Act, 1845, the *Scottish Central* Railway Company are now authorized to demand in respect of the Use of any Distance less than Six Miles of their said Railway; and the *Scottish Central* Railway Company shall likewise be bound, if required by the *Stirling and Dunfermline* Railway Company, to furnish such Accommodation at their present Station as may be necessary for the Traffic of the *Stirling and Dunfermline* Railway, and as they (the *Scottish Central* Railway Company) can afford without Inconvenience to the other Traffic on their own Line, upon Payment of such Price, Rent, or other pecuniary Consideration as may be agreed upon between the said Companies, or, failing such Agreement, as may be determined by Arbitration in the Manner prescribed by the Railways Clauses Consolidation (*Scotland*) Act, 1845, with respect to the Settlement of Disputes by Arbitration; and in the event of the *Stirling and Dunfermline* Railway Company considering the Accommodation so furnished by the *Scottish Central* Railway Company insufficient for the Traffic of the *Stirling and Dunfermline* Railway, the *Scottish Central* Railway Company shall be bound to furnish such additional Accommodation, if any, upon any Land which may belong to them, and which may not be used for their own Line or Station, as may be determined by Arbitration in manner aforesaid to be necessary for such Traffic, upon Payment of such pecuniary Consideration as shall be determined as aforesaid; and in the event of it being found under such Arbitration that the *Scottish Central* Railway Company have not sufficient Land for the additional Accommodation which the Arbiter, Arbiters, or Oversman shall consider necessary for the Traffic of the *Stirling and Dunfermline* Railway as aforesaid, the *Scottish Central* Railway Company shall be bound to acquire such additional Land

Land as may be necessary to enable them to afford such additional Accommodation as aforesaid.

Lands and Works of the ScottishCentral Railway Company not to be interfered with, without Consent.

XXV. And be it enacted, That, saving in so far as herein-before expressly provided, it shall not be lawful to the *Stirling and Dunfermline* Railway Company, or any other Company or Party, to enter upon, purchase, or take any Lands belonging to the *Scottish Central* Railway Company, without the previous Consent of such Company first had and obtained, nor to alter or vary the Line or Levels of the said *Scottish Central* Railway without such Consent as aforesaid, nor shall it be in the Power of the said *Stirling and Dunfermline* Railway Company to interfere with the said Railway, except for the Purpose of making and maintaining the Junction before mentioned, in the Manner herein provided, or in any way to interrupt or interfere with the Traffic passing on the said last-mentioned Railway, anything in the said recited Acts to the contrary notwithstanding; and the said *Stirling and Dunfermline* Railway Company shall bear all the Expenses of effecting such Junction as aforesaid, and of maintaining, watching, and working the same, and of the necessary Works for preventing Danger, Inconvenience, or Interruption therefrom to the Traffic on the said *Scottish Central* Railway, and shall also, at their own sole Costs and Charges, construct and for ever after maintain such and so many Switches, Turntables, Sidings, and other Works and Conveniences as may be necessary or convenient in connexion with the said Junction, and for preventing any such Danger, Interruption, or Inconvenience to the Traffic of the said *Scottish Central* Railway: Provided always, that if any Difference shall arise between the said Two Companies as to the Nature or Necessity of any such Works as aforesaid, the same shall be determined by Arbitration in manner aforesaid, or by the Decision of the Commissioners of Railways, at the Option of the said *Scottish Central* Railway Company.

Saving Rights of the Scottish Central Railway Company.

XXVI. Provided always, and be it enacted, That, save as herein specially provided, nothing in this or the said recited Acts contained shall extend or be deemed or construed to extend to alter, vary, prejudice, or diminish any of the Rights, Powers, Privileges, Franchises, or Authorities vested in the *Scottish Central* Railway Company by virtue of the Acts relating to such Company, or any of them.

Newspapers for Insertion of Advertisements.

XXVII. And be it enacted, That the Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be the Newspapers published in *Edinburgh* and in *Stirling*, or any One of them at each such Places, anything in the said first-recited Act to the contrary notwithstanding.

Altering Place of General Meetings and Domicile of Company.

XXVIII. And be it enacted, That all General Meetings of the Company, whether ordinary or extraordinary, shall be held in *Edinburgh*, and, except when otherwise specially provided, the Domicile of the Company in reference to all judicial Proceedings or Actions at Law shall be held to be in *Edinburgh*, anything in the said first-recited Act to the contrary notwithstanding.

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

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

Tolls.

XXX. And be it enacted, That, subject to the Conditions, Limitations, and Provisions contained in the said recited Acts and the Acts therewith incorporated, it shall be lawful for the Company to demand and recover, for the Use of the new or altered Line of the Branch Railway to *Alloa* Harbour hereby authorized to be made, the Tolls, Rates, Duties, and Charges which are by the said first-recited Act authorized to be demanded and recovered for the Use of the Railway thereby authorized to be made.

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.

XXXI. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and Two other Acts were passed in the Ninth and Tenth Years of the Reign of Her said 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 Deviation or Alteration of the Branch Line of Railway and other Works by this Act authorized, 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 Deviation or Alteration of the Branch Line of Railway and other Works, and Company, so far as the same shall be applicable thereto.

Railway not exempt from Provisions of future general Acts.

XXXII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this or the said recited Acts authorized to be made, or the Company, from the Provisions of any general Act relating to this and the said recited 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 this 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 or by the said recited Acts.

XXXIII. And

Expenses of Act.

XXXIII. And be it enacted, That all the Costs, Charges, and Expenses of obtaining and passing this Act, and of making the Survey, Plans, and Estimates, and all other Costs, Charges, and Expenses in any way incident thereto, shall be paid and defrayed by the Company out of the Money already raised and received, or out of the first Money to be raised or received, in preference to any other Payment whatsoever.

Public Act.

XXXIV. And be it enacted, That this 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.

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