

discontinue his, her or their action or suit, after the Defendant or Defendants shall have appeared, or if judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have full costs, and shall have such remedy for the same as any Defendant or Defendants hath or have for costs of suit in other cases by law.

Costs to Defendant if Plaintiff fail.

XLVIII. And be it enacted, That any contravention of this Act by the said Company or any other party, for which no punishment or penalty is herein provided, shall be a misdemeanor, and shall be punished accordingly, but such punishment shall not exempt the said Company (if they be the offending party) from the forfeiture of this Act, and the privileges hereby conferred on them, if, by the provisions thereof, or by law, the same be forfeited by such contravention.

Any contravention of this Act not otherwise punishable to be a misdemeanor.

XLIX. And be it enacted, That Her Majesty, Her Heirs and Successors, may at any time before or after the said Rail-road is completed, assume the possession and property thereof, and of all the property which the said Company is hereby empowered to hold, and shall then have all the right, privileges and advantages vested by this Act in the said Company, (all which after such assumption shall be vested in Her Majesty, Her Heirs and Successors) on giving to the said Company, three months notice of the intention to assume the same, and on paying to the said Company, within three

Her Majesty may assume the Rail-way on certain conditions.