

shall not be less than four feet above the surface of such bridge.

Company to establish gates, where the Rail-way shall cross a public highway.

VIII. Provided always, and be it enacted, That in all cases where the said intended Rail-way shall cross any public highway on a level, the said Company shall erect and at all times maintain a good and sufficient gate on each side of the said public highway, where the said Rail-way shall communicate with such public highway; which gates shall be constantly kept shut, except at such time as waggons, carts and other carriages passing along the said Rail-way, shall have to cross such public highway, and they shall be opened for the purpose only of letting such waggons, carts, or other carriages pass through; and every driver or person entrusted with the care of any waggon, cart or other carriage, or with any string of waggons, carts or other carriages, shall, and he is hereby directed to cause the said gates, and each of them, to be shut as soon as such waggons, carts or other carriages shall have passed through, under the penalty of five shillings currency for every offence, to be recovered in like manner as any other penalty under this Act may be recovered.

Lands taken for Rail-road not to exceed thirty-three yards in breadth.

Exception.

IX. And be it enacted, That the lands or grounds to be taken or used for such intended Rail-road, and the ditches, drains and fences to separate the same from the adjoining lands, shall not exceed thirty-three yards in breadth, except in such places where the said intended Rail-road shall be raised higher, or cut more than five feet deeper than the present surface of the land, and in such places where it shall be judged necessary to have off-sets for the locomotives or other engines and carriages using the said intended Rail-road, to be or pass each other; and not above one hundred and fifty yards in breadth in any such place, or where any houses, ware-houses, toll-houses, watch-houses, weighing-beams, cranes, fixed engines or inclined planes, may be erected, or goods, wares or merchandize be delivered, and then not more than two hundred yards in length, by one hundred and fifty yards in breadth, without the consent of the proprietors.

After any lands have so been taken, all bodies corporate, &c., may sell their property therein to the Company of Proprietors.

X. And be it enacted, That after any lands or grounds shall be set out and ascertained in manner aforesaid, for making and completing the said Railroad and other works, and other the purposes and conveniences hereinbefore mentioned, it shall and may be lawful for all bodies politic, corporate, or collegiate, corporation aggregate or sole, communities, guardians, curators, executors, administrators, and all other trustees or persons whatsoever, not only for and on behalf of themselves, their