

not exceeding six per cent, as they may think proper; and may make the bonds, debentures, or other securities they shall grant for the sums so borrowed, payable in currency or sterling, and at such place or places within or without this Province as they may deem advisable, and may hypothecate or pledge the lands, tolls, revenues, and other property of the said Company, for the due payment of the said sums and the interest thereon.

Sec. 20. All fines and forfeitures imposed by this Act, or which may be lawfully imposed by any bye-law to be made in pursuance thereof, (of which bye-law when produced all Justices are hereby required to take notice,) the levying and recovery of which are not herein particularly directed, shall, upon proof of the offence before any one or more Justices of the Peace for the County, either by the confession of the party or by the oath or affirmation of one credible witness, (which oath or affirmation any such Justice is hereby required to administer,) be levied by distress and sale of the offender's goods by Warrant of such Justice or Justices; and all such fines and forfeitures, the application whereof is not hereinbefore particularly directed, shall be paid to the Treasurer of the Company for the use of the said Railroad, and the overplus, after deducting the penalty and the expenses of levying and recovery thereof, shall be rendered to the owner; and for want of goods the offender shall be committed to gaol, there to remain till such penalty and expenses attending the same shall be paid.

Sec. 21. If any action or suit shall be brought or commenced against any person or persons for any thing done or to be done in pursuance of this Act, or in the execution of the powers or authorities therein given or granted, every such action or suit shall be commenced within six calendar months next after the fact committed, or in case there shall be a continuation of such damage then within six calendar months next after the doing of such damage shall cease and not afterwards, and the defendant or defendants in such action or suit may plead to the general issue, and give this Act and the special matter in evidence at any trial to be held thereupon, and that the same was done in pursuance of and by the authority of this Act; and if it shall appear to be so done, or if any action or suit shall not be brought within the time aforesaid, or if the plaintiff shall be nonsuit or discontinue, or if judgement shall pass against the plaintiff, the defendant shall recover costs and have such remedy therefor as any defendant hath for costs of suit in other cases of law.

Sec. 22. Her Majesty, her Heirs, and Successors, may, at any time before or after the said Railroad 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, and of all the rights, privileges, and advantages vested by this Act in the said Company (all which shall, after such assumption, 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 in paying to the said Company within three months of the expiration of such notice the whole amount of their capital stock then paid up and expended, with interest on the paid up capital from the time of the paying up of the same until the time of the opening of the said Railroad.

Sec. 23. This Act shall be a public Act, and shall as such be judicially taken notice of by all Judges, Justices of the Peace, and others, without being specially pleaded.

Sec. 24. Nothing herein contained shall be construed to except the Railroad by this Act authorized to be made from the provisions of any general Act relating to Railroads which may be passed during the present or any future Session of Parliament.

Sec. 25. If the Province of New Brunswick shall in any legal way constitute