



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. clxxxix.

An Act for making a Railway from the *South Devon* Railway near *Plymouth* to *Tavistock*, with a Branch, to be called “*The South Devon and Tavistock* Railway,” and for other Purposes.

[24th July 1854.]

WHEREAS the making of a Railway from the *South Devon* Railway near *Long Bridge* near *Plymouth* in the County of *Devon* to *Tavistock* in that County, with a Branch therefrom as herein-after described, would be of great public Advantage: And whereas the Persons herein-after named, with others, are willing at their own Expense to carry such Undertaking into execution: And whereas the following Acts have been passed relating to the *South Devon* Railway Company, in this Act called “*The South Devon Company*”; (to wit,) the several Acts of the Seventh and Eighth of *Victoria*, Chapter Sixty-eight; of the Ninth and Tenth of *Victoria*, Chapter Four hundred and two; of the Tenth and Eleventh of *Victoria*, Chapter Two hundred and forty-two; and of the Fourteenth and Fifteenth of *Victoria*, Chapter Fifty-three: And whereas the making of the Railway and Branch would be beneficial to the *South Devon* Company, and it is expedient that that Company be authorized to become Shareholders in the Undertaking to the Extent and

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upon

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upon the Terms in this Act expressed: And whereas such Purposes cannot be effected without the 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, as follows:

Short Title.

I. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *South Devon and Tavistock* Railway Act, 1854."

8 & 9 Vict.
cc. 16., 18.,
& 20. incor-
porated.

II. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," so far as the same respectively are not expressly varied by the Provisions of this Act, shall be incorporated with this Act.

Same Mean-
ings to Words
in this Act as
in incorpo-
rated Acts.

III. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned, shall have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Subscribers
incorporated.

IV. The Right Honorable the Earl of *Morley*, Sir *Antony Buller* Knight, *Harry Bulteel Harris*, *Thomas Woolcombe*, *William Prance*, *George Frean*, *James Dabb*, *David Derry*, *Thomas Hillersden Bulteel*, and *William Rendle*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining a Railway from the *South Devon* Railway near *Long Bridge* in the Parish of *Plympton Saint Mary* in the County of *Devon* to *Tavistock* in that County, with a Branch therefrom, and proper Works and Conveniences connected therewith, according to the Provisions of this Act, and for other the Purposes of this Act, and for such Purposes shall be incorporated by the Name of "The *South Devon and Tavistock* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession, and have a Common Seal, and shall have Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act.

Capital.

V. The Share Capital of the Company shall be One hundred and sixty thousand Pounds, in Six thousand four hundred Shares of Twenty-five Pounds each.

Calls.

VI. Five Pounds a Share shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls; and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon such Share.

VII. The

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VII. The Company shall not, out of any Money by this Act authorized to be raised by Calls or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided always, that this Act shall not prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with "The Companies Clauses Consolidation Act, 1845."

Interest not to be paid on Calls paid up.

VIII. The Company shall not, out of any Money by this Act authorized to be raised, pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now or hereafter in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

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

IX. The Company may borrow on Mortgage or Bond any Sums not exceeding in the whole Fifty-three thousand three hundred Pounds, but no Part of such Sum shall be borrowed until the whole of the Capital shall have been subscribed for and One Half thereof shall have been paid up: Provided always, that all and every Part of the Money to be raised under the Provisions of this Act, whether by Shares or Mortgage or Bond, shall be applied only for the Purposes authorized by this Act.

Power to borrow Money on Mortgage.

X. The *South Devon* Company may be Shareholders in the Company hereby incorporated to any Extent not exceeding Eight thousand Pounds, and may apply for the Purpose any Capital in their Possession or Control: Provided always, that no such Application of Capital shall take place without the Consent of Three Fifths of the Shareholders of the *South Devon* Company present at a Special Meeting.

Power for the *South Devon* Company to contribute.

XI. So long as the *South Devon* Company continue by themselves or their Trustees Shareholders in the Company, the *South Devon* Company or the Directors thereof may appoint any Person (whether a Shareholder in the Company or not) to vote on behalf of the *South Devon* Company at Meetings of the Company, and may from Time to Time revoke any such Appointment, and appoint another Person in that Behalf; and such Person shall during his Appointment have the same Right of voting at such Meetings as he would have if the Shares in the Company for the Time being held by the *South Devon* Company by themselves or their Trustees were held by such Person in his own Right.

South Devon Company may appoint a Person to vote.

XII. Provided always, That every such Appointment or Revocation shall be in Writing and under the Seal of the *South Devon* Company, or under the Hand of the Chairman for the Time being of the Directors of that Company, or under the Hand of the Secretary of that Company.

Appointment of such Person, &c.

XIII. The

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First and
other Meet-
ings.

XIII. The First Ordinary Meeting of the Company shall be held within Nine Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *February* and *August*.

Number of
Directors.

XIV. Subject to the Provisions of this Act for reducing the Number of Directors, the Number of Directors shall be Nine.

Qualifica-
tions of Di-
rectors.

XV. The Qualification of a Director shall be the Possession in his own Right of Twenty Shares.

Election of
Directors.

XVI. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting held after the passing of this Act, and at such Meeting the Shareholders present personally or by Proxy may either continue in Office the Directors appointed by this Act, or a new Body of Directors may be elected to supply their Places, the Directors appointed by this Act being, if qualified, eligible for Election.

Power to re-
duce the
Number of
Directors.

XVII. The Company may from Time to Time reduce the Number of Directors, so as the Number of such Directors shall be not less than Six.

First Direc-
tors of the
Company.

XVIII. Sir *Antony Buller* Knight, *Harry Bulteel Harris*, *Thomas Woolcombe*, *William Prance*, *George Frean*, *James Dabb*, *David Derry*, *Thomas Hillersden Bulteel*, and *William Rendle*, shall be the First Directors of the Company.

Quorum.

XIX. The Quorum of a Meeting of Directors shall be Five: Provided always, that if the Number of the Directors shall be reduced to Six, then the Quorum shall be Three.

Newspaper
for Adver-
tisements.

XX. The Newspaper for Advertisements shall be any *Plymouth* Newspaper.

Power to
make the
Railway, &c.,
according to
deposited
Plans.

XXI. Whereas Plans and Sections of the Railway, Branch Railway or Tramway, and Works by this Act authorized, showing the Lines and Levels thereof respectively, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners and Lessees and Occupiers of the Lands through which the same respectively are intended to pass or be made, have been deposited with the Clerk of the Peace for the County of *Devon*: Therefore, subject to the Provisions of this Act, the Company may make and maintain the Railway, Branch Railway or Tramway, and Works, in the Lines and upon the Lands delineated on those Plans and described in that Book of Reference, and according to the Levels described on those Sections, and may enter upon, take, and use such of those Lands as they may think necessary for that Purpose.

XXII. If

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XXII. The Railway, Branch Railway or Tramway, and Works by this Act authorized are the following; (to wit,) Railway,
Branch, and
Works.

1. A Railway commencing by a Junction with the Main Line of the *South Devon* Railway in a Close called the *Long Bridge Great Marsh*, belonging to the Right Honourable the Earl of *Morley*, in the Occupation of *Jane Martin*, and situate in the Parish of *Plympton Saint Mary* in the County of *Devon* near the Bridge called *Long Bridge* in that Parish, and terminating in a Close, formerly an Orchard, in the Occupation of *Henry Browne, Thomas Pengelly,* and *John Crossman*, situate in the Parish of *Tavistock* in that County, at or near a Place called *Saint John's*, on the Western Side of the old Turnpike Road leading from *Plymouth* to *Tavistock* :
2. A Branch Railway or Tramway commencing and diverging from and out of the intended Railway in or near a Close called *The Plym Bridge Great Marsh*, in the Occupation of *James Butland*, situate in the Parish of *Plympton Saint Mary* near *Plym Bridge*, on the South Side of the Road leading from *Plym Bridge* to *Colebrook*, and terminating at or near a Place called *Black Alder Torr*, situate in the Parish of *Shaugh* otherwise *Shaugh Prior* in that County, near to the Works of the *Lee Moor* Porcelain Clay Company.

XXIII. Provided always, That in making the Railway through the Lands of *Richard Davie*, Doctor of Medicine, in the Parish of *Buckland Monachorum*, the Company shall not deviate to the Eastward the centre Line of the Railway as delineated on the deposited Plans without his previous Consent in Writing. Not to de-
viate in pass-
ing through
the Land of
Richard Da-
vie, Esquire,
without
Consent.

XXIV. Subject to the Provisions of this Act, the Company may carry the Railway and Branch across and on the Level of the several Roads numbered in the deposited Plans as follows; (to wit,) Certain
Roads may
be crossed on
a Level.

The Road numbered 109, in the Parish of *Buckland Monachorum* ;
and

The Road numbered 8, in the Parish of *Shaugh* otherwise *Shaugh Prior*.

XXV. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or a Lodge at the Point where the Railway crosses the before-mentioned Road in the Parish of *Buckland Monachorum* on the Level; and the Company shall be subject to and abide by all such Rules and Regulations with regard to the crossing of that Road on the Level, or with regard to the Speed at which Trains shall pass that Road, as are from Time to Time made by the Board of Trade; and if the Company fail to erect or at all Times maintain any such Station or Lodge, or to 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, they Company to
erect a Sta-
tion or Lodge
at Point
of crossing,
and to abide
by Rules, &c.
of Board of
Trade.

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shall

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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 continues after such Penalty of Twenty Pounds is incurred: Provided always, that if at any Time hereafter the Branch Railway hereby authorized shall be worked by Locomotive Engines, the Company shall also erect either a Station or a Lodge at the Point where such Branch Railway crosses the before-mentioned Road in the Parish of *Shaugh* otherwise *Shaugh Prior* on the Level, and shall also be subject to and abide by all such Rules and Regulations in respect thereof as are hereinbefore provided in reference to the crossing of the said Road in the Parish of *Buckland Monachorum*.

Board of Trade may require a Bridge to be erected in lieu of Level Crossing.

XXVI. The Board of Trade, if it appear to them necessary for the Public Safety, may at any Time, either before or after the Railway and Branch to be carried across such Roads on the Level are completed and opened for public Traffic, require the Company, within such Time as the Board of Trade direct, and at the Expense of the Company, to carry such Roads either under or over the Railway and Branch 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 Board of Trade best adapted for removing or diminishing the Danger arising from such level Crossing; provided that this Clause shall not in any way apply to the said Branch Railway, except in case of the same being worked by Locomotive Engines.

Regulating Inclinations of certain Roads.

XXVII. In carrying the following public Roads or Highways over, under, or across the Railway, the Company may make the Inclinations of those Roads such as or not steeper than as follows :

Number on deposited Plan.	Parish.	Proposed Inclination.
38	Bickleigh	1 in 7
66	Bickleigh	1 in 16
72	Bickleigh	1 in 7

As to Communications with South Devon Railway.

XXVIII. All Communications between the Railway and the *South Devon* Railway by means of Connection Rails and Points, and all such Openings in the Ledges or Flanges of the *South Devon* Railway as may be necessary and convenient for effecting such Communications, shall be made under the Approval, Direction, and Superintendence of the Engineer of the *South Devon* Company or other Person authorized by them for that Purpose, and at the Expense of the Company.

Railway to be constructed on broad Gauge.

XXIX. The Main Line of the Railway shall be constructed, maintained, and worked upon the Broad Gauge, and the Branch may be constructed on that Gauge, if the Company think fit.

XXX. If

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XXX. If at any Time it shall be made to appear to the Board of Trade to be requisite for the Public Service, the Company shall, on the Requirement of that Board, lay down or permit to be laid down on all or any Part of the Line hereby authorized an additional Rail or Rails for the Passage of Engines and Carriages adapted to the Narrow Gauge over the same; and it shall be lawful for the said Board to make such Order and Direction relative to the Cost of laying and maintaining such additional Rail, and the Charges to be made for the Use thereof, as the Circumstances of the Case may require.

Power to Board of Trade to require additional Rails to be laid down.

XXXI. Except as is by this Act expressly provided, this Act or anything therein shall not take away, lessen, alter, or prejudice any of the Rights, Privileges, Powers, or Authorities of the *South Devon* Company, and shall not authorise the Company in making or maintaining the Railway to take or enter upon any of the Lands belonging to the *South Devon* Company, or to alter, vary, or interfere with the *South Devon* Railway or any of the Works thereof, without the Consent in Writing of that Company in every Instance for that Purpose first had.

Saving Rights of the *South Devon* Company.

XXXII. The Company may by Agreement purchase any Quantity of Land, not exceeding in the whole Twenty-five Acres, for the extraordinary Purposes mentioned in the Railways Clauses Consolidation Act.

Lands for Extraordinary Purposes.

XXXIII. The Railway and Branch shall be completed within Five Years after the passing of this Act; and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Railway and Branch, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway and Branch as is then completed.

Period for Completion of Works.

XXXIV. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Eleven thousand five hundred and fifty Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railway authorized by this Act, was, previous to the Fifteenth Day of *January* last, deposited with the Court of Chancery in England, in respect of the Application to Parliament for this Act, which said Sum has since been laid out in the Purchase of Twelve thousand five hundred and thirty-seven Pounds Six Shillings and Twopence Three *per Centum* Consolidated Bank Annuities, and which said Stock is now standing in the Name of the Accountant General of the Court of Chancery to the Credit of the Company: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Stock or the Dividends thereof shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid

As to Payment or Transfer of deposited Sum pursuant to Standing Orders.

or

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or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Stock and the Dividends thereof shall, immediately from and after the Expiration of the said Period, be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided, that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Eleven thousand five hundred and fifty Pounds shall have been executed by the said Company with One or more Sureties (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Eleven thousand five hundred and fifty Pounds if the said Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Stock shall be transferred and the Dividends thereof paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as the said Stock and the Dividends thereof would have been dealt with under this Act if such Bond had not been executed and
deposited

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deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified: Provided always, that this Clause shall not in any way apply to the Branch Railway or Tramway herein-before described.

XXXV. The Company may demand any Tolls for the Use of the Tolls. Railway and Branch not exceeding the following; (to wit,)

In respect of the Tonnage of all Articles conveyed thereon or upon any Part thereof, and included within the following Classes: On Articles of Merchandise.

Class 1. For all Coals, Coke, Culm, Charcoal, and Cinders, Compost, Dung, and all Sorts of Manure, Lime, and Limestone, and all undressed Materials for the Repair of Roads or Highways, and all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Iron Stone; and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, or to any other Company from Time to Time working the Railway under any Contract with the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings; and if propelled by an Engine belonging to the Company, or to any other Company so working the Railway, a further Sum *per Ton per Mile* not exceeding Three Farthings:

Class 2. For all Sugar, Grain, Corn, Flour, Hides, Dye-woods, Earthenware, Timber, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Threepence; and if conveyed in Carriages belonging to the Company, or to any other Company so working the Railway, an additional Sum *per Ton per Mile* not exceeding One Penny; and if propelled by an Engine belonging to the Company, or to any other Company so working the Railway and Branch, a further Sum *per Ton per Mile* not exceeding One Penny:

Class 3. For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, *per Ton per Mile* not exceeding Fourpence; and if conveyed in Carriages belonging to the Company, or to any other Company so working the Railway, an additional Sum *per Ton per Mile* not exceeding One Penny; and if propelled by an Engine belonging to the Company, or to any other Company so working the Railway, a further Sum *per Ton per Mile* not exceeding One Penny:

Class 4. And for every Carriage, of whatever Description, (not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton,) *per Mile* not exceeding Threepence; and if any such Carriage be conveyed on a Truck or Platform belonging
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belonging to the Company, or to any other Company so working the Railway, an additional Sum *per Ton per Mile* not exceeding One Penny Halfpenny; and if propelled by an Engine belonging to the Company, or to any other Company so working the Railway, a further Sum *per Mile* not exceeding One Penny Halfpenny; and the Sum of One Penny Halfpenny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, or to any other Company so working the Railway, an additional Sum not exceeding One Penny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton; and if propelled by an Engine belonging to the Company, or to any other Company so working the Railway, a further Sum not exceeding One Penny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton.

For Animals,
&c.

In respect of Animals conveyed in Carriages upon the Railway and Branch, as follows:

Class 5. For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per Mile* not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, or to any other Company so working the Railway, an additional Sum *per Mile* not exceeding One Penny; and if such Carriage be propelled by an Engine belonging to the Company, or to any other Company, so working the Railway, an additional Sum *per Mile* not exceeding One Penny:

Class 6. For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, the Sum of Three Halfpence *per Mile*; and if conveyed in any Carriage belonging to the Company, or to any other Company so working the Railway, an additional Sum *per Mile* not exceeding Three Farthings; and if such Carriage be propelled by an Engine belonging to the Company, or to any other Company so working the Railway, an additional Sum *per Mile* not exceeding Three Farthings:

Class 7. For every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per Mile* not exceeding One Penny, provided Six at least are carried; and if conveyed in or upon any Carriage belonging to the Company, or to any other Company so working the Railway, an additional Sum *per Mile* not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, or to any other Company so working the Railway, an additional Sum *per Mile* not exceeding One Halfpenny.

For Pas-
sengers.

In respect of Passengers conveyed in Carriages upon the Railway and Branch, as follows:

For every Person conveyed in or upon any such Carriage, *per Mile* not exceeding Twopence; and if conveyed in or upon any Carriage belonging

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belonging to the Company, or to any other Company so working the Railway, an additional Sum *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, or to any other Company so working the Railway, an additional Sum *per* Mile not exceeding One Halfpenny.

XXXVI. The following Provisions and Regulations shall be applicable to the fixing of such Tolls; (to wit,) Regulation
as to the
Tolls.

For Articles, Animals, or Persons conveyed on the Railway and Branch for a less Distance than Six Miles the Company may demand Tolls and Charges as for Six Miles:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so on in proportion for any smaller Quantity.

With respect to small Packages, and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may demand the Tolls not exceeding the following; (to wit,) Tolls for
small Parcels
and Articles
of great
Weights.

For the Carriage of small Parcels on the Railway and Branch, or any Part thereof respectively, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Sixpence:

For any Parcel not exceeding Fourteen Pounds in Weight, One Shilling:

For any Parcel not exceeding Twenty-eight Pounds in Weight, One Shilling and Sixpence:

For any Parcel not exceeding Fifty-six Pounds in Weight, Two Shillings:

And for Parcels exceeding Fifty-six Pounds in Weight, but not exceeding Five Hundredweight, the Company may demand any Sum which they think fit:

Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand any Sum not exceeding One Shilling *per* Ton *per* Mile; and

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if conveyed in or upon a Carriage belonging to the Company, or to any other Company from Time to Time working the Railway under any Contract with the Company, an additional Sum *per Ton per Mile* not exceeding Fourpence; and if propelled by an Engine belonging to the Company, or to any other Company so working the Railway, a further Sum *per Ton per Mile* not exceeding Threepence: For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber, Stone, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they shall think fit.

Passengers'
Luggage.

XXXVII. Every Passenger travelling upon the Railway and Branch may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, and One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum
Rates of
Charges for
Passengers.

XXXVIII. The maximum Rates of Charge to be made by the Company for the Conveyance of Passengers upon the Railway and Branch, including the Tolls for the Use of the Railway and Branch and of Carriages and for Locomotive Power and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First-class Carriage, the Sum of Threepence *per Mile*:

For every Passenger conveyed in a Second-class Carriage, the Sum of Twopence *per Mile*:

For every Passenger conveyed in a Third-class Carriage forming Part of a Mixed Train, the Sum of One Penny Halfpenny *per Mile*.

Maximum
Charges for
Goods and
Animals.

XXXIX. The maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway and Branch and of Carriages and for Locomotive Power and every other Expense incidental to such Conveyance (except the loading and unloading of Goods when such Service is performed by the Company), shall not exceed the Amounts following; (to wit,)

For the Matters mentioned under Class 1, not exceeding Threepence *per Ton per Mile*:

For the Matters mentioned under Class 2, not exceeding Fivepence *per Ton per Mile*:

For the Matters mentioned under Class 3, not exceeding Sixpence *per Ton per Mile*:

For any Carriage mentioned under Class 4, not weighing more than One Ton, not exceeding Sixpence *per Mile*, and if weighing more than One Ton, not exceeding Twopence *per Mile* for every Quarter of a Ton or fractional Part of a Quarter of a Ton above Two Tons:

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For everything mentioned under Class 5, not exceeding Fourpence *per* Mile :

For everything mentioned under Class 6, not exceeding Threepence *per* Mile :

For everything mentioned under Class 7, not exceeding Twopence *per* Mile.

XL. The Restriction as to the Charges to be made for Passengers shall not extend to any Special Train that may be required to be run upon the Railway and Branch, in respect of which the Company may make such Charges as they think fit, but shall apply only to the Ordinary and Express Trains appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway and Branch.

Restriction as to Charges not to apply to Special Trains.

XLI. This Act or anything therein shall not prevent the Company from taking any increased Charges over and above the Charges by this Act limited, for the Conveyance of Goods of any Description, by Agreement with the Owners or Persons in charge thereof, or in respect to the Conveyance of any Animals or Goods, other than small Parcels by Passenger Trains, or in respect of the Conveyance of such Parcels by Express Trains, or by reason of any special Service performed by the Company in relation thereto.

Company may take increased Charges by Agreement.

XLII. This Act or anything therein shall not exempt the Railway and Branch from the Provisions of any General Act relating to this Act, or of any General Act or any Act which may hereafter pass during this or any future Session of Parliament relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force, or from any future Revision and Alteration under the Authority of Parliament of the Tolls for small Parcels and the maximum Rates of Fares and Charges by this Act authorized, or of the Rates for small Parcels by this Act authorized.

Railway not exempt from Provisions of future General Acts.

XLIII. 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 Railways*; 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 another Act was passed in the Session of Parliament held in the Ninth

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

[*Local.*]

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and

The South Devon and Tavistock Railway Act, 1854.

and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the Fifteenth Year of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That this Act or anything therein contained shall not be held to exempt the said Railway and Branch by this Act authorized, or the Company in respect thereof, from the Provisions of those Acts respectively, but that such Provisions shall be in force with reference to the same Railway and Branch, and the Company in respect thereof, so far as the same are applicable.

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