



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. lxxvi.

An Act for authorizing the *West Somerset Mineral Railway Company* to make the *Minehead Extension* and the *Cleeve Branch*; and for other Purposes. [27th July 1857.]

WHEREAS by the "*West Somerset Mineral Railway Act, 1855*," the *West Somerset Mineral Railway Company* (in this Act called the Company) were incorporated, with a Capital of Fifty thousand Pounds in Five thousand Shares of Ten Pounds each, and with Power to borrow Fifteen thousand Pounds, and were authorized to make and maintain a Railway (in this Act called the Main Railway) from *Watchet Harbour* to the *Brendon Hills*, all in the County of *Somerset*: And whereas the Company are making their Railway: And whereas the Company have not borrowed any Part of the Fifteen thousand Pounds which they were authorized to borrow, but in lieu of borrowing that Sum or any Part thereof they have created One thousand five hundred Shares of Ten Pounds each: And whereas the Company have issued the Six thousand five hundred Shares of Ten Pounds each, which constitute together their entire Capital of Sixty-five thousand Pounds: And whereas it is expedient that the Company be authorized to make and maintain an Extension

18 & 19 Vict.
c. cl.

[*Local.*]

11 B

Railway

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Railway (in this Act called the *Minehead* Extension) from the Main Railway in the Parish of *Old Cleeve* to *Minehead*, and a Branch Railway (in this Act called the *Cleeve* Branch) from the Main Railway to the *Minehead* Extension, all in the County of *Somerset*: And whereas Plans and Sections of the Main Railway and the Works connected therewith, showing the Lines and Levels thereof respectively, and a Book of Reference thereto containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in which the same respectively were intended to be made, were deposited for the Purposes of the recited Act with the Clerk of the Peace for the County of *Somerset*: And whereas Plans and Sections of the *Minehead* Extension and the *Cleeve* Branch, and the Works connected therewith respectively, showing the Lines and Levels thereof respectively, and a Book of Reference thereto containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in which the same respectively are intended to be made, have been deposited with the Clerk of the Peace for the County of *Somerset*: And whereas it is expedient that the Company be authorized to raise further Moneys by Shares and by borrowing for the Purposes of their Undertaking: And whereas it is expedient that further Provision be made for the Purposes of the Undertaking; And whereas it is expedient that the recited Act be repealed, and that some of the Provisions thereof be re-enacted by this Act with Amendments: And whereas the Objects of this Act cannot be attained 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; (to wit,)

Short Title. I. This Act may be cited for any Purpose as "*West Somerset Mineral Railway Act, 1857.*"

8 & 9 Vict. cc. 16., 18., & 20. incorporated. II. The "Companies Clauses Consolidation Act, 1845," and the "Lands Clauses Consolidation Act, 1845," and the "Railways Clauses Consolidation Act, 1845," are respectively incorporated with this Act.

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

Recited Act repealed. IV. On the passing of this Act, but subject to the Provisions thereof, the recited Act is by this Act repealed.

Company to continue incorporated. V. Notwithstanding the Repeal of the recited Act, the Company shall for the Purposes of this Act remain as from the passing of the recited

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recited Act, and continue incorporated by the Name of "The *West Somerset Mineral Railway Company*," and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to make and maintain the Railway and Works by this Act authorized to be made and maintained respectively, and for the other Purposes of this Act, and to purchase, take, hold, and dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act.

VI. Notwithstanding the Repeal of the recited Act, the Company shall remain and be seised and possessed of and entitled to all the Lands, Buildings, Estates, Moneys, Property, Effects, Claims, and Demands whatsoever of or to which the Company, by virtue of the recited Act or otherwise howsoever, were immediately before the Commencement of this Act seised, possessed, or in anyway entitled at Law or in Equity, or otherwise howsoever, with the Appurtenances, as if this Act were not passed.

Company to remain entitled to their Property.

VII. Notwithstanding the Repeal of the recited Act, and except only as is by this Act otherwise expressly provided, everything before the Commencement of this Act done, suffered, and confirmed respectively under or by the recited Act shall be as valid as if this Act were not passed; and such Repeal and this Act respectively shall accordingly be subject and without Prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if such Repeal had not happened and this Act were not passed, would be incident to or consequent on any and every thing so done, suffered, and confirmed respectively: Provided always, that the Generality of this Provision shall not be restricted by any other of the Clauses and Provisions of this Act.

General Saving of Rights under recited Act.

VIII. Notwithstanding the Repeal of the recited Act, all the Provisions of any and every Act of Parliament, other than the recited Act, relating to the Company and their Officers and Servants respectively, and on the passing of this Act in force, shall be of the like Force as if such Repeal had not happened, and may be exercised, enforced, and enjoyed by and against the Company and their Officers and Servants respectively, in as full and beneficial a Manner to all Intents as the same respectively might be exercised, enforced, and enjoyed if such Repeal had not happened.

Company to continue entitled to Powers under other Acts.

IX. Notwithstanding the Repeal of the recited Act, Section Twenty-eight thereof, whereby Provision is made with respect to a Deposit and a Bond for securing the Completion of the Main Railway, shall remain in force with respect to the Main Railway.

Section 28 of recited Act as to Deposit and Bond for Completion of Main Railway to remain in force.

X. Notwith-

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Conveyances, &c. to remain in force.

X. Notwithstanding the Repeal of the recited Act, all Purchases, Sales, Conveyances, Leases, Contracts, Agreements, Securities, and other Acts and Things before the Commencement of this Act made, done, entered into, executed, or instituted, under or by virtue of the recited Act, with reference to the Purposes thereof, shall be as effectual to all Intents for, against, and with respect to the Company as if this Act were not passed, and may be proceeded on and enforced accordingly.

Deposited Plans, &c. to remain with Clerk of Peace.

XI. Notwithstanding the Repeal of the recited Act, all Plans and Books of Reference, and all Corrections and Certificates of Correction thereof respectively, deposited for any Purposes of the recited Act with any Clerk of the Peace, shall remain in his Custody as if they were deposited for the Purposes of this Act, and according to the Provisions of the Act of the Session of the Seventh Year of *William* the Fourth and the First Year of Her present Majesty, Chapter Eighty-three, and every such Clerk of the Peace shall accordingly permit the same to be inspected, and Copies thereof and Extracts therefrom to be taken.

Money paid into Bank, &c. to be applied under re-cited Act.

XII. Notwithstanding the Repeal of the recited Act, in every Case in which under that Act any Money was before the passing of this Act paid into the Bank of *England*, or to any Trustee or Trustees, as Purchase or Compensation Money on any Account, such Money, or the Stocks, Funds, or Securities in or upon which the same is from Time to Time, by the Order of the Court of Chancery or otherwise, invested, and the Interest, Dividends, and annual Produce thereof, shall after the passing of this Act be applied and disposed of pursuant to the recited Act.

Certificates, &c., of Shares to remain.

XIII. Notwithstanding the Repeal of the recited Act, all Certificates, Sales, Transfers, and Dispositions before the passing of this Act made or executed under the recited Act of or with respect to any Shares in the Company shall for the Purposes of this Act remain in full Force, and continue and be available in all respects.

Actions, &c. not to abate.

XIV. Notwithstanding the Repeal of the recited Act, any Action, Suit, Prosecution, or other Proceeding, commenced either by or against the Company before the passing of this Act, shall not abate or be discontinued or prejudicially affected by this Act, but on the contrary shall continue and take effect both in favour of and against the Company in the same Manner to all Intents as if this Act were not passed.

Shareholders to pay Calls.

XV. Notwithstanding the Repeal of the recited Act, the several Persons who immediately before the passing of this Act were Shareholders

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holders of the Company, their Heirs, Executors, Administrators, Successors, and Assigns respectively, shall pay the Amount subscribed by them respectively, or so much thereof as at the passing of this Act is not paid, with all Interest (if any) due or to accrue due thereon, to the Company, when and as the same is under this Act called up or otherwise demanded by the Company.

XVI. Notwithstanding the Repeal of the recited Act, all Persons who immediately before the passing of this Act owed any Sum of Money to the Company, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due and payable or accruing for the same, to the Company; and all Moneys which immediately before the passing of this Act were owing by or recoverable from the Company, or for the Payment whereof they were or but for this Act would be liable, shall be paid, with all Interest (if any) due and payable or accruing for the same, by or be recoverable from the Company.

Debts due to
and by the
Company to
be paid to
and by them.

XVII. Notwithstanding the Repeal of the recited Act, all Byelaws of the Company made before the passing of this Act shall, for the Purpose of this Act, but not (unless sooner re-made under this Act) longer than Six Months after the passing of this Act, continue of full Force, as if such Repeal had not happened, and such Byelaws may be enforced, and all Proceedings thereon may be continued or taken, and all Penalties thereunder may be recovered accordingly.

Byelaws
continued for
Six Months.

XVIII. Notwithstanding the Repeal of the recited Act, all Resolutions, Orders, and Proceedings of General Meetings and Boards of Directors, which immediately before the passing of this Act were binding on the Company, or their Directors, Officers, or Servants, or any of them, shall continue in full Force and be in like Manner binding on the Company, and their Directors, Officers, and Servants accordingly.

Resolutions,
&c. con-
tinued.

XIX. Notwithstanding the Repeal of the recited Act, all Documents, Books, and Writings by that Act directed or authorized to be kept, and which if such Repeal had not happened would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

Books to be
Evidence.

XX. Notwithstanding the Repeal of the recited Act, the several Persons who immediately before the passing of this Act were the Directors of the Company shall remain in Office until they respectively cease, according to the Provisions of this Act, to be Directors.

Directors to
remain in
Office.

XXI. Notwithstanding the Repeal of the recited Act, every Officer and Servant appointed by virtue of or acting under the recited

Officers
continued.

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Act shall hold and enjoy his Office and Employment, with the Salary thereunto annexed, and be deemed an Officer and Servant of the Company, until he be removed from such Office and Employment, and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Regulations, Pains, and Penalties, as if he were appointed under this Act.

Capital.

XXII. The Capital of the Company shall be One hundred thousand Pounds, consisting of their original Capital of Fifty thousand Pounds, and the additional Capital of Fifteen thousand Pounds, raised by Shares instead of by borrowing, and making together their present Capital of Sixty-five thousand Pounds, and the additional Capital of Thirty-five thousand Pounds by this Act authorized to be raised by new Shares.

Division of present Capital into Shares of 10*l.* each.

XXIII. The Company's present Capital of Sixty-five thousand Pounds shall be divided into Six thousand five hundred Shares of Ten Pounds each.

6,500 Shares to be appropriated to existing Shareholders.

XXIV. The Six thousand five hundred Shares in the present Capital shall be appropriated to the several Persons who, on the passing of this Act, are the Shareholders of the Company; and those Six thousand five hundred Shares are by this Act vested in those Shareholders respectively, after the Rate of One such Share for every One now existing Share in the now existing Capital of the Company held by them respectively, and shall be deemed paid up to the Extent to which those now existing Shares are at the passing of this Act respectively paid up.

The said Shares to be subject to the same Trusts as now existing Shares.

XXV. Those Six thousand five hundred Shares shall be so vested in those Shareholders respectively upon the same Trusts, and subject to the same Powers, Provisions, Declarations, Agreements, Charges, and Incumbrances, upon or to which their respective Shares in the now existing Capital of the Company are on the passing of this Act held or subject, and so as to give effect to and not to revoke any Will or other Instrument disposing of or affecting any such Shares.

As to Certificates of the 6,500 Shares,

XXVI. The Certificates of the Six thousand five hundred now existing Shares created by or under the recited Act, and existing at the passing of this Act, shall be the Certificates of the Six thousand five hundred Shares created by this Act, which are to be substituted for those now existing Shares, and it shall not be obligatory on the Company to issue fresh Certificates of such substituted Shares, except in Cases where such Certificates are worn out, or damaged, or lost, or destroyed.

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XXVII. The Company from Time to Time may raise, by the Creation and Issue of new Shares, any Amount of additional Capital not exceeding Thirty-five thousand Pounds.

Power to create additional Capital by new Shares.

XXVIII. The new Shares in the additional Capital, and the new Shares in the further Capital (if any), which the Company raise by Shares instead of by borrowing, or for the Conversion of Loan into Capital, may be issued by the Company, with the Sanction of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a General Meeting of the Company specially convened for the Purpose, as the Company from Time to Time think fit, either of One Class and with like Privileges, or of several Classes and with different Privileges, and of the same or different Amounts, and respectively with any fixed, fluctuating, contingent, or preferential Dividend, not exceeding, if preferential, the Rate of Five Pounds *per Centum per Annum* on the Amount from Time to Time paid up thereon, and the Company may, as they think fit, fix the Amounts and Times of Payments of the Calls on such new Shares: Provided always, that all the Shares of the same Class shall be of the same Amount, and all the Shares of the same Class shall bear the like Dividend and have like Privileges.

Terms and Conditions of new Shares.

XXIX. Any Preference or Priority in the Payment of Interest or Dividend granted under this Act in respect of any new Shares shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares theretofore granted by or in pursuance of or confirmed by any Act of Parliament passed before the passing of this Act, or otherwise lawfully subsisting.

Saving existing Preference Shares.

XXX. If at the Time of issuing any new Shares under this Act the then ordinary Shares of the Company be at a Premium, the new Shares to be then issued shall, except so far as a General Meeting of the Company specially convened for the Purpose, by at least Three Fifths of the Votes of the Shareholders present, personally or by Proxy, thereat, otherwise determine, be of such Amount as well conveniently allow the same to be apportioned among the then Holders of the ordinary Shares, in proportion to the ordinary Shares held by them respectively, and shall be offered to them at Par in such Proportion.

If ordinary Shares at a Premium, new Shares to be offered to existing Shareholders.

XXXI. Such Offer shall be made by Letter, under the Hand of the Treasurer or Secretary of the Company, given to every such Shareholder, or sent by Post addressed to him according to his Address in the Shareholders Address Book, or left for him at his usual or last known Place of Abode in *England*; and every such Offer made by Letter sent by Post shall be considered as made on the

Offer of new Shares by Letter.

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the Day on which the Letter in due Course of Delivery ought to reach the Place to which it is addressed.

New Shares to vest in Shareholders who accept.

XXXII. The new Shares so offered shall vest in and belong to the Shareholders who accept them.

Disposal of unaccepted new Shares to others.

XXXIII. If any Shareholder fail for One Month after such Offer of new Shares to accept them, the Company may dispose of the unaccepted new Shares to any other Persons.

Directors may enlarge Time for adopting new Shares.

XXXIV. Provided always, That the Directors, if they think proper, but not otherwise, may permit any Shareholder who, from Absence abroad or other Cause satisfactory to the Directors, omits to signify, within the Time by this Act limited, his Acceptance of the Shares offered to him, to accept them notwithstanding such Time having elapsed.

General Disposal by Company of new Shares.

XXXV. Except as is by this Act provided with respect to offering new Shares to existing Holders of ordinary Shares, the Company may from Time to Time dispose of the new Shares to such Persons and on such Terms and Conditions as the Company think fit.

Power to cancel unissued new Shares.

XXXVI. If, after having created any Class of new Shares, the Company determine not to issue the whole of the Shares of that Class, they may cancel the unissued Shares, and may from Time to Time thereafter, according to the Provisions of this Act, create and issue in lieu thereof other new Shares of an aggregate Amount not exceeding that of the new Shares so cancelled.

Separate Registers of Classes of Shares.

XXXVII. The Company shall keep separate and distinct Registers of the Shares in the present Capital, and of the new Shares from Time to Time issued under this Act, or, as the Case may be, of every Class of Shares.

Company to keep separate Capital and Revenue Accounts, to be called the Main Railway Accounts and the Minehead and Cleeve Accounts.

XXXVIII. The Company shall keep separate and distinct Accounts, with respect to both Capital and Revenue, of their Receipts, Credits, Payments, and Liabilities with respect to the Main Railway and the Works thereof, and the Tolls, Rates, and Charges in respect of the same, and those Accounts shall be called the Main Railway Accounts; and separate and distinct Accounts, with respect to both Capital and Revenue, of their Receipts, Credits, Payments, and Liabilities with respect to the *Minehead* Extension and the *Cleeve* Branch, and the Works and Conveniences thereof respectively, and the Tolls, Rates, and Charges in respect of the same, and those Accounts shall be called the *Minehead* and *Cleeve* Accounts; and the Company, as they think just, may from Time to Time apportion between the Two Revenue Accounts any Item not belonging exclusively to either of them.

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XXXIX. Provided always, That all the Expenses of the Conduct and Management of the general Affairs of the Company shall be duly apportioned between those Two Revenue Accounts in proportion to the aggregate Amount of the Capital and Debenture Debt of the Company raised for the Purposes of the Main Railway, and raised for the Purposes of the *Minehead* Extension and *Cleeve* Branch respectively.

Apportionment of general Expenses between Revenue Accounts.

XL. The Dividends on the Shares in the present Capital shall be payable only out of the net Profits applicable to the Payment of Dividends to be shown by the Main Railway Revenue Account.

Net Profits of Main Railway applicable for Dividends on Shares in present Capital.

XLI. The Dividends on the new Shares created under this Act shall be payable only out of the net Profits applicable to the Payment of Dividends to be shown by the *Minehead* and *Cleeve* Revenue Account.

Net Profits of Extension and Branch applicable for Dividends on new Shares.

XLII. One Pound a Share shall be the greatest Amount of a Call, and One Month at least shall be the Interval between successive Calls, and no more than Three Fourths of the Amount of a Share shall be raised in any One Year.

Calls.

XLIII. The Company from Time to Time may borrow on Mortgage of the Main Railway, and the Tolls, Rates, and Charges in respect thereof, any Sums not exceeding in the whole Twenty-one thousand five hundred Pounds; but no Part thereof shall be borrowed until One Half of the present Capital of Sixty-five thousand Pounds is paid; and the Moneys so borrowed and the Interest thereon shall be payable out of the Moneys to be carried to the Credit of the Main Railway Accounts.

Power to borrow on Mortgage of Main Railway.

XLIV. The Company from Time to Time may borrow on Mortgage of the *Minehead* Extension and the *Cleeve* Branch, and the Tolls, Rates, and Charges in respect of the same, any Sums not exceeding in the whole Eleven thousand five hundred Pounds; but no Part thereof shall be borrowed until the whole of the additional Capital of Thirty-five thousand Pounds is subscribed for and One Half thereof paid up, and the Principal Moneys so borrowed and the Interest thereon shall be payable only out of Moneys to be carried to the Credit of the *Minehead* and *Cleeve* Accounts.

Power to borrow on Minehead Extension and Cleeve Branch.

XLV. The several Mortgagees may enforce the Payment of the Arrears of Principal and Interest due on their respective Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be One thousand Pounds.

Receiver for Mortgagees.

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Interest not
to be paid on
Calls paid up.

XLVI. The Company shall not, out of any Money by this Act authorized to be raised by Shares or by 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 Provisions of "The Companies Clauses Consolidation Act, 1845."

Deposit on
future Bills
not to be
made out of
Company's
Capital.

XLVII. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament from Time to Time 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 Railway or execute any Work or Undertaking.

Restriction
on Applica-
tion of
Moneys.

XLVIII. All and every Part of the Moneys raised under this Act, whether by Shares in the present Capital or by borrowing on the Main Railway Account, shall be applied only for Purposes of the Main Railway by this Act authorized; and all and every Part of the Moneys raised under this Act, whether by new Shares or by borrowing on the *Minehead* Extension and the *Cleeve* Branch Account, shall be applied only for Purposes of the *Minehead* Extension and the *Cleeve* Branch by this Act authorized.

First and
other Meet-
ings.

XLIX. The next Ordinary Meeting of the Company shall be held within Three Months after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *February* or *March* and *August* or *September* in every Year.

Number of
Directors.

L. The Number of Directors shall be Five.

Qualification
of Directors.

LI. The Qualification of a Director shall be the Possession in his own Right of Fifty Shares.

Quorum for
Meeting of
Directors.

LII. The Quorum of a Meeting of Directors shall be Three.

Advertise-
ments.

LIII. The Newspaper for Advertisements shall be any Newspaper published in the County of *Somerset*.

Power to
complete
Main Rail-
way autho-
rized by
recited Act
and to take

LIV. Subject to the Provisions of this Act, the Company may complete and maintain the Main Railway by the recited Act authorized, and the Works and Conveniences thereof, in and upon the Lands shown on the Plans and described in the Books of Reference respectively deposited for the Purposes of the recited Act, and in the
Lines

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Lines and on the Levels shown by the Plans and Sections deposited for the Purposes of that Act, and may enter upon, take, and use such of those Lands as they think requisite for that Purpose: Provided always, that the Company shall not enter upon, take, or use any Portion of the Lands numbered respectively Four, Five, and Six, in the Parish of *Saint Decumans*, on those deposited Plans and in that Book of Reference.

Lands for same.
Not to take Lands numbered Four, Five, and Six in the Parish of Saint Decumans.

LV. The Main Railway by the recited Act authorized is the following; (to wit,)

Description of Main Railway authorized by recited Act.

A Main Railway commencing at and on the North-eastern End of the Pier or Quay of *Watchet* in the Parish of *Saint Decumans* in the County of *Somerset*, and terminating in Two Closes of Arable Land, now or late in the Occupation of *John Melhuish* in the Parish of *Exton* in that County, and adjoining to the public Highway there leading from the Town of *Minehead* to the Town of *Dulverton*, both in that County, on the Eastern Side of that Road, with a Branch Railway diverging from and out of the Main Railway at and on a Piece of common or uninclosed Land now or late in the Occupation of *Joseph Gatchett* in the Parish of *Old Cleeve* in that County, and adjoining to and on the Northern Side of the Turnpike Road there leading from *Watchet* to *Bampton* in the County of *Devon*, and terminating at the *Raleighs Cross* Iron Mine, in the Occupation of the *Brendon Hills* Iron Ore Company in the Parish of *Brompton Regis* otherwise *King's Brompton* in that County:

The Works connected with the Main Railway by the recited Act authorized also comprise the following; (to wit,)

The taking in and reclaiming of a small Portion of the Sea Beach or Shore on the South-western Side of the Harbour of *Watchet* in the Parish of *Saint Decumans* in the County of *Somerset*, and the erecting of a Wall or Embankment there, from a Point adjoining the Pier of the Harbour, and extending in a Westerly Direction from that Pier for a Distance of Two hundred and ninety Feet or thereabouts.

LVI. In constructing the Works the Company shall provide and maintain at the West End of the proposed Wall or Embankment convenient Steps as an Access for the Public from *West Street* to the Beach.

Access from West Street to the Beach.

LVII. In constructing the Main Railway on the Pier of the Harbour of *Watchet* the Company shall either preserve the present Quay Slip, or construct One adjacent thereto of at least equal Dimensions and Convenience.

Company to preserve Quay Slip at Watchet, or construct another in lieu thereof.

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Powers for compulsory Purchases for Main Railway limited.

LVIII. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of the Main Railway shall not be exercised after the Sixteenth Day of *July* One thousand eight hundred and fifty-eight, being Three Years after the passing of the recited Act.

Period for completing Main Railway.

LIX. The Railway and Works shown on the Plans deposited for the Purposes of the recited Act shall, as required by Section Twenty-eight thereof, be respectively completed before the Sixteenth Day of *July* One thousand eight hundred and fifty-nine, being Four Years after the passing of the recited Act, and on the Expiration of that Period the Powers by this Act given to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Power to make Minehead Extension and Cleeve Branch and to take Lands for same.

LX. Subject to the Provisions of this Act, the Company may make and maintain the *Minehead* Extension and the *Cleeve* Branch by this Act respectively authorized, and the Works and Conveniences thereof respectively, in and upon the Lands shown on the Plans and described in the Books of Reference respectively deposited for the Purposes of this Act, and in the Lines and on the Levels shown by the Plans and Sections deposited for the Purposes of this Act, and may enter upon, take, and use such of those Lands as they think requisite for that Purpose.

Minehead Extension and Cleeve Branch authorized by this Act.

LXI. The *Minehead* Extension and the *Cleeve* Branch by this Act authorized are the following Lines of Railway ; (to wit,)

First. The *Minehead* Extension Line of Railway in extension of the Main Railway, and commencing by a Junction with the Main Railway in a Field in the Parish of *Old Cleeve* in the County of *Somerset* numbered Sixty-six on the Plan deposited for the Purposes of the recited Act, and terminating in the Parish of *Minehead* in that County at and upon the North-eastern End of the Pier or Quay of the Harbour of *Minehead* :

Secondly. The *Cleeve* Branch Line of Railway, commencing by a Junction with the Main Line, in the Parish of *Old Cleeve* in the County of *Somerset*, in a Field in that Parish numbered Forty-seven on the Plan deposited for the Purposes of the recited Act, and terminating in that Parish by a Junction with the *Minehead* Extension in or near to a Field or Close in that Parish called *Long Close* numbered Four hundred and forty-one on the Tithe Commutation Map of that Parish, and now or late in the Occupation of *William Gooding* as Tenant thereof.

Minehead Pier not to be endangered.

LXII. Provided always, That the Pier or Quay of the Harbour of *Minehead* shall not be injured, nor its Safety endangered, nor the present

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present Road or Way on, to, and over the same Pier or Quay and Harbour be unnecessarily damaged or interfered with by making the *Minehead* Extension, and the Company shall not by virtue of this Act (without the Consent in Writing of the Owner from Time to Time of the Pier or Quay and Harbour of *Minehead*, to be obtained after the passing of this Act) acquire or obtain any Property in or Right to the Pier or Quay or Harbour of *Minehead*, except the Right to lay down, without Compensation or Payment, Rails on the Pier or Quay to be used by the Company, and also by the Owner from Time to Time of the Pier or Quay, for the Purpose of drawing or propelling Carriages thereon by means of Horses or otherwise, but not by means of Locomotive Engines: Provided also, that all proper and sufficient Facilities for mooring Vessels to the Pier or Quay shall be preserved or be provided by the Company.

Facilities for mooring Vessels to be provided.

LXIII. The *Minehead* Extension and the *Cleeve* Branch, and the Works thereof respectively, shall be completed within Four Years after the passing of this Act, and after the Expiration of that Period the Powers by this Act granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Period for Completion of Extension and Branch.

LXIV. The Company, in the Execution of the several Works by this Act authorized, may deviate from the Lines of the Works delineated on the several Plans deposited for the Purposes of the recited Act and of this Act respectively to any Extent within the respective Limits of Deviation in that Behalf delineated on those Plans respectively.

Limits of Deviation.

LXV. Subject to the Provisions of this Act, the Company may carry the Main Railway with Two Lines of Railway across and on the Level of the several Roads numbered on the Plans deposited for the Purpose of the recited Act as follows; (to wit,)

Level Crossings.

The Road numbered Nine, in the Parish of *Saint Decumans* :

The Road numbered Sixty-three, in the Parish of *Old Cleeve* :

The Road numbered One hundred and eighteen, in the Parish of *Old Cleeve* :

The Road numbered Twenty-four, in the Parish of *Nettlecombe* :

The Road numbered Fifty-two, in the Parish of *Nettlecombe* :

The Road numbered Three, in the Parish of *Brompton Regis*, otherwise *King's Brompton* :

And may carry the *Minehead* Extension and the *Cleeve* Branch respectively with Two Lines of Railway across and on the Level of the several Roads numbered on the Plans deposited for the Purposes of this Act as follows; (to wit,)

The Road numbered Twenty, in the Parish of *Withycombe* :

The Road numbered Fifty-three, in the Parish of *Carhampton* :

[*Local.*]

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West Somerset Mineral Railway Act, 1857.

The Road numbered Sixty-one, in the Parish of *Carhampton* :

The Road numbered Nine, in the Parish of *Minehead* :

Provided always, that the Company shall divert the said Roads numbered Fifty-three and Sixty-one in the Parish of *Carhampton* in such Manner as that One level Crossing shall be sufficient for both such Roads.

Lodges
at level
Crossings.

LXVI. For the greater Convenience and Security of the Public the Company shall provide and permanently maintain either a Station or a Lodge at the Points where the Railway crosses those Roads on the Level, and shall be subject to and abide by all such Rules and Regulations with regard to the crossing of those Roads on the Level, or with regard to the Speed at which Trains shall pass those Roads, as are from Time to Time made by the Board of Trade ; and if the Company fail to provide 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 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 the Offence continues after the Penalty of Twenty Pounds is incurred.

Bridges
instead
of level
Crossings.

LXVII. The Board of Trade, if it appear to them necessary for the public Safety, may at any Time, either before or after the Railway to be carried across those Roads on the Level is completed and open for public Traffic, require the Company within such Time as the Board of Trade directs, and at the Expense of the Company, to carry any of these 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 appear to the Board of Trade best adapted for removing or diminishing the Danger arising from any such level Crossing.

Inclination
of Roads and
Span of
Bridges for
Main Rail-
way.

LXVIII. In carrying the several Roads numbered as follows on the Plans deposited for the Purposes of the recited Act over, under, or across the Railway, the Company may make the Inclination of those Roads such as or not steeper than as follows ; (to wit,)

Number on the Plan.	Parish.	Inclination.
71	Old Cleeve - - - -	1 in 18
118	Old Cleeve - - - -	1 in 20
243	Old Cleeve - - - -	1 in 13
24	Nettlecombe - - - -	1 in 14
5	Brompton Regis, otherwise King's Brompton - - - -	1 in 12
19	Withiel Florey - - - -	1 in 13

And

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And the Company, in making the several Arches over the Roads marked respectively on those Plans Two hundred and forty-three in the Parish of *Old Cleeve*, Twenty-four in the Parish of *Nettlecombe*, Five in the Parish of *Brompton Regis* otherwise *King's Brompton*, and Nineteen in the Parish of *Withiel Florey*, need not make them more than Twelve Feet wide and Twelve Feet high.

LXIX. In carrying the several Roads numbered as follows on the Plans deposited for the Purposes of this Act, the Company may make the Inclination of those Roads such as or not steeper than as follows; (to wit,)

Inclination
of Roads and
Span of
Bridges for
Extension
and Branch.

Number on Plan.	Parish.	Inclination.
11 and 12	Old Cleeve - - - -	1 in 8
31	Old Cleeve - - - -	1 in 12
55	Old Cleeve - - - -	1 in 14
64	Old Cleeve - - - -	1 in 11
10	Carhampton - - - -	1 in 20

And the Company, in making the Arch over the Road numbered on those Plans Eleven and Twelve in the Parish of *Old Cleeve*, need not make it more than Twelve Feet Span and Twelve Feet high, and in the making the Arch over the Railway for the Road numbered on those Plans Sixteen in the Parish of *Old Cleeve* need not make it more than Twenty-five Feet wide, and in making the Arch over the same Road at another Part of the said Road need not make it more than Twenty-five Feet Span, and in making the Arch over the Road numbered on those Plans Thirty-one in the Parish of *Old Cleeve* need not make it more than Twelve Feet Span and Twelve Feet high, and in making the several Arches over the Railway for the Roads numbered on those Plans Fifty-five and Sixty-four respectively in the Parish of *Old Cleeve* need not make them more than Twelve Feet wide, and in making the Arch over the Railway for the Road numbered Ten in the Parish of *Carhampton* need not make it more than Twenty Feet wide, and that the Company may make the several Diversions of the several Roads in the Manner described in the said Plans for the *Minehead* Extension and *Cleeve* Branch.

LXX. The Company may purchase by Agreement, in addition to the Lands by this Act authorized to be taken compulsorily, any Quantity of Land not exceeding in the whole Four Acres for extraordinary Purposes of the Main Railway, and Two Acres for extraordinary Purposes of the *Minehead* Extension and the *Cleeve* Branch.

Lands for
extraordi-
nary Pur-
poses.

LXXI. The Main Railway, the *Minehead* Extension, and the *Cleeve* Branch, and the Works and Conveniences thereof, shall together form

Main Rail-
way Exten-
sion and

West Somerset Mineral Railway Act, 1857.

Branch to
form West
Somerset
Mineral
Railway.

form the *West Somerset Mineral Railway*, and the Expression "the Railway" in this Act means the *West Somerset Mineral Railway*, and includes accordingly the Main Railway, the *Minehead Extension*, and the *Cleeve Branch*, and the Works and Conveniences thereof respectively.

Bond for
Completion
of Extension
and Branch.

LXXII. Whereas pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Session of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Two thousand six hundred and twenty-five Pounds, being One Tenth of the Amount required to be subscribed in respect of the *Minehead Extension* and the *Cleeve Branch*, has been deposited with the Court of Chancery in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in that Act, that Sum of Two thousand six hundred and twenty-five Pounds so deposited in respect of the Application for this Act, or the Interest or Dividend of that Sum, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid 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 that Act, or the Survivors or Survivor of them, unless the Company, before Expiration of the Period limited by this Act for Completion of the *Minehead Extension* and the *Cleeve Branch*, either open the Extension and Branch for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the additional Capital of Thirty-five thousand Pounds by this Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of that Capital; and if that Period expire before the Company either have opened the Railway for the public Conveyance of Passengers, or have given such Proof to the Satisfaction of the Board of Trade, that Sum so deposited, and the Interest and Dividends thereof, shall immediately from and after the Expiration of that 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 that Sum of Two thousand six hundred and twenty-five Pounds be executed by the 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 Sum of Two thousand six hundred and twenty-five Pounds if the Company shall not within the Time

by

West Somerset Mineral Railway Act, 1857.

by this Act limited for the Completion of the Extension and Branch either open the Extension and Branch for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the additional Capital of Thirty-five thousand Pounds by this Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of that Capital, and if such Bond be deposited with that Solicitor, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons, or the Majority of the Persons, named in such Warrant or Order, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in that Act to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as such Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been so executed and deposited; and the Certificate of that Solicitor that such Bond has been so executed and deposited, and the Certificate of the Board of Trade that such Proof has been given to their Satisfaction, shall respectively be sufficient Evidence of the Facts so certified.

LXXIII. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the last Session. Validity of
Subscription
Contract.

LXXIV. The Company may demand and take in respect of Tolls. the Use of the Railway any Tolls not exceeding the following; (that is to say,)

For every Passenger conveyed in a First-class Carriage by any Train, Twopence a Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional One Halfpenny a Mile: Tolls for
Passengers.

For every Passenger conveyed in a Second-class Carriage by any Train, One Penny Halfpenny a Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional One Halfpenny a Mile:

For every Passenger conveyed in a Third-class Carriage by any Train, One Penny a Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional One Halfpenny a Mile:

And with respect to Animals and Goods, as follows:

For every Horse, Mule, and other Beast of Draught or Burden, Threepence a Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional One Penny a Mile; Tolls for
Cattle,
Goods, &c.

[*Local.*]

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For

West Somerset Mineral Railway Act, 1857.

For Cattle, One Penny Halfpenny each a Mile ; and if conveyed in or upon any Carriage belonging to the Company, an additional One Halfpenny each a Mile :

For Calves, Pigs, Sheep, and small Animals, One Penny each a Mile ; and if conveyed in or upon any Carriage belonging to the Company, an additional One Farthing each a Mile :

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, carried or conveyed on a Truck or Platform, Fourpence a Mile, and One Penny a Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage weighs ; and if conveyed on a Truck or Platform belonging to the Company, an additional One Penny a Mile :

Class 1. For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Pig Iron, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, and Salt, and all Coal, Slack, Cannel, Coke, Culm, and Cinders, One Penny Farthing a Ton a Mile ; and if conveyed in or upon Carriages belonging to the Company, an additional One Farthing a Ton a Mile :

Class 2. For Sheet Iron, Hoop Iron, Bar Iron, and all other Descriptions of Wrought Iron, and Tin, and Tin Plates, Twopence a Ton a Mile ; and if conveyed in or upon Carriages belonging to the Company, an additional One Halfpenny a Ton a Mile :

Class 3. For Sugar, Corn, and other Grain, Malt, Flour, Hides, Dyewoods, Earthenware, Timber, Pitwood, Cordwood, Staves, Deals, Nails, Anvils, Vices, and Chains, Twopence Halfpenny a Ton a Mile ; and if conveyed in or upon Carriages belonging to the Company, an additional One Halfpenny a Ton a Mile :

Class 4. For Cotton, and other Wools, Drugs, manufactured Goods, Manchester Packs, and Metals, except Iron and Tin, Threepence a Ton a Mile ; and if conveyed in or upon Carriages belonging to the Company, an additional One Halfpenny a Ton a Mile :

Class 5. For Fish, Household Furniture, Hats, Shoes, Toys, and all other Things, Fourpence a Ton a Mile ; and if conveyed in or upon Carriages belonging to the Company, an additional One Halfpenny a Ton a Mile :

Provided always, that with respect to all Passengers, Animals, and Goods passing over the Railway for a less Distance than Four Miles the Company may demand Toll as for Four Miles.

Tolls for
propelling
Power.

LXXV. Subject to the Provisions of this Act, the Tolls which the Company may demand for the Use of Engines for propelling Carriages

West Somerset Mineral Railway Act, 1857.

riages on the Railway shall not exceed One Halfpenny a Mile for every Passenger or Animal, or for every Ton of Goods, in addition to the several other Tolls by this Act authorized.

LXXVI. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers along the Railway, including the Tolls for the User of the Railway, and of Carriages, and of locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums, which the Company are by this Act empowered to demand and take; (that is to say,) Maximum
Rate of
Charges for
Passengers.

For every Passenger conveyed in a First-class Carriage by any Train, Threepence a Mile :

For every Passenger conveyed in a Second-class Carriage by any Train, Twopence a Mile :

For every Passenger conveyed in a Third-class Carriage by any Train, One Penny a Mile.

LXXVII. The maximum Rate of Charge to be made by the Company for the Conveyance of Animals and Goods on the Railway, including the Tolls for the User of the Railway, and Waggon or Trucks, and locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for the loading, covering, and unloading of Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where any such Services are performed by the Company, shall not exceed the following Sums, which the Company are by this Act empowered to demand and take; (that is to say,) Maximum
Rate of
Charges for
Cattle and
Goods.

For every Horse, Mule, and other Beast of Draught or Burden, Fourpence a Mile :

For Cattle, Twopence Farthing each a Mile :

For Calves, Pigs, Sheep, and other small Animals, One Penny Halfpenny each a Mile :

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, Fivepence a Mile, and One Penny a Mile for every additional Quarter of a Ton which any such Carriage weighs :

For all Articles in Class One, One Penny Three Farthings a Ton a Mile :

For all Articles in Class Two, Twopence Three Farthings a Ton a Mile :

For all Articles in Class Three, Threepence a Ton a Mile :

For all Articles in Class Four, Threepence Halfpenny a Ton a Mile :

For all Articles in Class Five, Fourpence Halfpenny a Ton a Mile.

LXXVIII. The

West Somerset Mineral Railway Act, 1857.

Regulations
as to Tolls.

LXXVIII. The following Regulations apply to such maximum Rates and Charges ; (to wit,)

For a Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company demand and take Tolls on Animals and Goods for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile ; and with respect to Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile :

For a Portion of a Ton the Company may demand and take 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 in proportion for any smaller Quantity.

Tolls for
small Parcels
and single
Articles of
great
Weight.

With respect to small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls by this Act prescribed, the Company may demand and take any Tolls not exceeding the following ; (that is to say,)

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

For any Parcel not exceeding Seven Pounds in Weight, Three-pence ;

For any Parcel not exceeding Fourteen Pounds in Weight, Sixpence ;

For any Parcel not exceeding Twenty-eight Pounds in Weight, One Shilling ;

For any Parcel not exceeding Fifty-six Pounds in Weight, One Shilling and Sixpence ;

For any Parcel exceeding Fifty-six Pounds in Weight, but not exceeding Five hundred Pounds, the Company may demand and take any Sum which they think fit :

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

For the Carriage of 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, does not exceed Eight Tons, the Company may demand and take any Sum they think fit, not exceeding One Shilling a Ton a Mile :

For

West Somerset Mineral Railway Act, 1857.

For the Carriage of any single Article, the Weight of which with the Carriage exceeds Eight Tons, the Company may demand and take any Sum they think fit.

LXXIX. Provided always, That the Restrictions as to the Charges to be made for Passengers do not extend to any Special Trains that may be required to be run upon the Railway, but apply only to the Ordinary and Express Trains from Time to Time appointed by the Company for the Conveyance of Passengers and Goods upon the Railway.

Restriction as to Charges not to apply to Special Trains.

LXXX. Provided always, That every Passenger travelling on the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, 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.

Passengers Luggage.

LXXXI. This Act or anything therein shall not prevent the Company from taking any increased Charges above the Tolls by this Act limited for the Conveyance of Goods of any Description by Agreement with the Owners or Persons in charge thereof, either with respect to the Conveyance of any Animals or Goods other than small Parcels by Passenger Trains, or with respect to the Conveyance of small 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.

LXXXII. Before commencing any Work below High-water Mark at ordinary Spring Tides, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of every such Work for the Approval of the Admiralty, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and every such Work shall be constructed only in accordance with such Approval, and when any such Works have been commenced or constructed the Company shall not at any Time alter or extend the same without obtaining, before making any such Alteration or Extension, the like Approval, and if any such Work be commenced or made or be altered or extended contrary to the Provisions of this Act, the Admiralty may abate, alter, and remove the same, and restore the Site thereof to its former Condition, at the Costs and Charges 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.

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

LXXXIII. Where the Limits of Deviation extend into the Tide-way the Railway and other Works shall not deviate Seaward or outward of the Black continuous centre Line of Way, marked on the Plan deposited at the Admiralty, without the previous Consent of
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Works not to be constructed Seaward of centre Line without Con-

West Somerset Mineral Railway Act, 1857.

sent of Ad-
miralty.

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.

Company not
to be entitled
to exclusive
Water
Frontage.

LXXXIV. The Company shall not claim or become entitled to any exclusive Right of Water Frontage where the Railway skirts the Shore, but only such Frontage as the Company may require for the Uses of the Railway; and any other Persons may, with the previous Consent of and as approved of by the said Lord High Admiral, or the said Commissioners, to be signified in Writing under the Hand of the Secretary of the Admiralty, and with the Consent of the Owners of the Soil, construct Quays and Wharves to Seaward of the Railway.

Footways
and Car-
riageways
to be allowed
across Rail-
way where it
interferes
with Access
between
Land and
Water.

LXXXV. Where the Railway cuts off or will cut off Access between Land and Water, the Company shall make and maintain, and allow to be used by all Persons and at all Times, free of Toll or other Charge, all such Crossings for Footways and Carriageways over, under, or across the Railway as the said Lord High Admiral or the said Commissioners shall at any Time or from Time to Time require, such Requirement to be signified in Writing under the Hand of the Secretary of the Admiralty.

Admiralty
may order
local Sur-
vey at Ex-
pense of
Company.

LXXXVI. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company under this Act, or under the recited Act, or otherwise respectively authorized to be made in, over, or affecting any tidal Water, or Access thereto, or of the intended Site thereof, the Company shall defray the Costs of every 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
abandoned,
they may be
removed by
Admiralty at
Expense of
Company.

LXXXVII. If any Work constructed or to be constructed by the Company under or by virtue of this Act, or under or by virtue of the recited Act respectively, in, under, over, through, or across any tidal Water, or if any Portion of any such Work which affects or may affect any such Water, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, 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.

LXXXVIII. Nothing

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LXXXVIII. Nothing whatsoever contained in this Act, or in any of the Acts herein recited or referred to, shall extend to authorize the said Company to purchase, take, use, or otherwise interfere with any Foreshore or other Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be or but for the Provisions of the same Act or Acts might have been vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving the
Rights of
the Crown.

LXXXIX. Provided always, That, except as is by this Act expressly provided, this Act or anything therein shall not take away, lessen, prejudice, or alter any of the Jurisdictions, Franchises, Rights, Powers, or Privileges of the Admiralty.

Saving
Rights of the
Admiralty.

XC. Provided also, That, except as is by this Act expressly provided, this Act or anything therein shall not take away, lessen, prejudice, or alter any of the Estates, Rights, Franchises, Powers, or Privileges of the Lord of the Manor of *Watchet*, or of the Devisees in trust of or other Persons claiming under *George* late Earl of *Egremont*, or of the Lord of the Manor and Borough of *Minehead*.

Saving
Rights of
Persons
herein
named.

XCI. This Act or anything therein shall not exempt the Railway from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies respectively, 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, or of Tolls for small Parcels, by this Act respectively authorized.

Railway not
exempt from
Provisions of
present and
future Gene-
ral Acts.

XCII. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act, or otherwise in relation thereto, shall be borne and paid by the Company, and shall be charged to their *Minehead* and *Cleeve* Capital Account.

Expenses of
Act.

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