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VICTORIÆ REGINÆ.

Cap. ccxxviii.

An Act for making Docks on the River *Axe* and a Road thereto, with a Bridge over that River, all in the County of *Somerset*; and for other Purposes. [16th *July* 1866.]

WHEREAS by “The *Brean Down* Harbour Act, 1862,” the *Brean Down* Harbour Company (in this Act called “the Company”) were incorporated for making a Pier and Harbour at *Brean Down* on the *Bristol Channel*, and for other Purposes, with a Capital of Seventy-five thousand Pounds in Shares of Ten Pounds each, and with Power to borrow on Mortgage Twenty-five thousand Pounds: And whereas “The *Brean Down* Harbours Railways Act, 1865,” relating to the Company, has since been passed: And whereas the Sums which the Company are authorized to raise for the Purposes of “The *Brean Down* Harbour Act, 1862,” are insufficient for the Execution of the Undertaking by that Act authorized: And whereas Docks on the River *Axe*, near the Mouth of that River, with a Road (including a Bridge over the *Axe*) to connect the proposed Docks with the Roads on the Eastern Side of that River, would be of local and public Advantage: And whereas Plans and Sections showing the Situation, Lines, and Levels of the proposed Docks and Road, and

25 & 26 Vict. c. xxix.
28 & 29 Vict. c. cxxii.

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the Lands proposed to be taken or which may be required to be taken for the Purposes thereof, and Books of Reference to those Plans containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of those Lands respectively, have been deposited with the Clerk of the Peace for the County of Somerset, and those Plans, Sections, and Books of Reference are in this Act referred to as "the deposited Plans, Sections, and Books of Reference:" And whereas the Company are willing to undertake the Construction of the proposed Docks and Road if authorized by Parliament so to do, and to raise Money for the Purpose: And whereas it is expedient to authorize Contracts between the Company and the *Bristol and Exeter* Railway Company for the Purposes in that Behalf specified in this Act: And whereas the Objects aforesaid 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; (that is to say,)

Short Title.

1. This Act may be cited for all Purposes as "*Brean Down Dock Act, 1866.*"

8 & 9 Vict.
cc. 16. & 18.,
10 & 11 Vict.
c. 27.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 92. & 118.
incorporated.

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Harbours, Docks, and Piers Clauses Act, 1847," and Part III. (relating to Working Agreements), and the Sections numbered 13, 14, 15, 18, and 19, of "The Railways Clauses Act, 1863" (relating to Protection of Navigation), and the following Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," (*videlicet,*)

- With respect to the Distribution of the Capital of the Company into Shares;
 - With respect to the Transfer or Transmission of Shares;
 - With respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls;
 - With respect to the Forfeiture of Shares for Nonpayment of Calls;
 - With respect to the Remedies of Creditors of the Company against the Shareholders;
 - With respect to the borrowing of Money by the Company on Mortgage or Bond;
 - With respect to the Conversion of the borrowed Money into Capital;
 - With respect to the Consolidation of Shares into Stock; and
 - With respect to the Provision to be made for affording Access to the Special Act by all Parties interested;
- And Part I. (relating to Cancellation and Surrender of Shares) and Part II. (relating to additional Capital) of "The Companies Clauses Act,

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Act, 1863," are (except where expressly varied by this Act) incorporated with and form Part of this Act: Provided always, that the Clauses of "The Harbours, Docks, and Piers Clauses Act, 1847," with respect to Lifeboats, and with respect to keeping a Tide and Weather Gauge, shall not be in force for the Purposes of this Act until the Board of Trade shall require the Company to carry those Clauses into execution, and then to such Extent only as shall be specified in such Requisition, and not until the Expiration of Six Months from the making of such Requisition.

3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; the Expression "the Company" shall mean the *Brean Down Harbour Company*; the Word "Dock" in the Clauses and Provisions with respect to the Construction of the Harbour, Dock, or Pier of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated with this Act, shall include the Road and Bridge by this Act authorized; the Word "Railway" and the Word "Work" in the incorporated Sections of "The Railways Clauses Act, 1863," shall respectively include the Docks, Road, and Bridge by this Act authorized; and the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a Simple Contract Debt, and not a Debt or Demand created by Statute.

Same Meanings to Words in incorporated Acts as in this. Interpretation of Terms.

4. Subject to the Provisions of this Act, the Company may make and maintain in the Lines and according to the Levels shown on the deposited Plans and Sections the Docks and Road herein-after described, and may also make and maintain the other Works herein-after described, and may enter upon, take, and use such of the Lands delineated on the said Plans and described in the deposited Books of Reference as may be required for those Purposes. The Dock, Road, and Works herein-before referred to and authorized by this Act are,—

Power to make Works according to deposited Plans.

First. Docks on the River *Axe* in the Parish of *Brean* in the County of *Somerset*, and within the Limits of Deviation delineated on the deposited Plans:

Second. A Road (including a Bridge over the River *Axe*) from the intended Docks in the said Parish of *Brean* to join in the Parish of *Uphill* in the County of *Somerset* the Road leading from *Uphill Village* to *Uphill Bay*:

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Third. Basins, Gridirons, Locks, Gates, Entrances, Approaches, Tramways, Quays, Shipping Places, Staiths, Landing Slips, Wharves, Warehouses, Custom Houses, Cranes, Drops, Buoys, Dolphins, Moorings, and other Buildings, Works, and Conveniences within the Limits aforesaid:

Fourth. The Diversion into the Docks of the Waters of the River *Axe*:

But the Company shall not in the Exercise of the Powers of this Act narrow the Low-water Channel of the River *Axe*, or diminish the Depth of Water therein.

Power to raise additional Capital for Harbour by new Shares or Stock.

5. In addition to any other Sums of Money which the Company are by "The *Brean Down Harbour Act, 1862*," authorized to raise, they may for the Purposes of that Act raise by the Creation and Issue of new Ordinary Shares or Stock any further Sums not exceeding in the whole Fifty thousand Pounds, and, subject to the other Provisions of this Act, may fix the Amount and Times of Payment of the Calls on the new Shares: Provided that no such new Share shall be of an Amount less than Ten Pounds.

Power to raise Capital for Docks by new Shares or Stock.

6. In addition to any other Sums of Money which the Company are authorized to raise, they may for the Purposes of this Act raise by the Creation and Issue of new Ordinary Shares or Stock any further Sums not exceeding in the whole Two hundred and forty thousand Pounds, and, subject to the other Provisions of this Act, may fix the Amount and Times of Payment of the Calls on the new Shares: Provided that no such new Share shall be of an Amount less than Ten Pounds.

Shares not to issue until One Fifth paid up.

7. The Company shall not issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth of the Amount of such Share shall have been paid up in respect thereof.

Calls.

8. One Fifth of the Amount of a Share shall be the greatest Amount of a Call, and Two 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 made in any Year upon any Share.

Dividends, &c. on new Shares.

9. Except as by or under the Authority of this Act otherwise provided, every Person who becomes entitled to any new Share or Stock created under the Powers of this Act shall in respect of the same be a Proprietor in and of the Undertaking of the Company, and shall be entitled to a Dividend with the other Proprietors proportioned to the Amount of such Stock, or to the whole Amount for the Time being paid up on such Shares, as the Case may be.

10. All

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10. All such new Stock shall in proportion to the Amount thereof, and all such new Shares shall in proportion to the Amount for the Time being paid up thereon, confer upon the respective Holders thereof the same Qualifications, Rights of voting, and other Privileges as any Shares or Stocks of the Company created by or under the first-recited Act.

Qualifications, &c. for new Shares and Stock.

11. The Receipt of the Guardian of any Shareholder being a Minor, or the Committee of any Shareholder being an Idiot, Lunatic, or Person *non compos mentis*, shall be a sufficient Discharge to the Company for any Monies payable to such Shareholder.

Receipt for Persons under Disability.

12. The Company may from Time to Time borrow on Mortgage (in addition to any Sums they are by "The *Brean Down Harbour Act, 1862*," authorized to borrow) any Sum not exceeding in the whole Sixteen thousand five hundred Pounds for the Purposes and on the Security of their Undertaking under that Act, but no Part thereof shall be borrowed until the whole of the additional Capital of Fifty thousand Pounds by this Act authorized for the Purposes of that Act is subscribed for, issued, and accepted, and One Half is paid up, and the Company have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the said additional Capital has been issued and accepted, and that One Half thereof is paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Power to borrow for Harbour.

13. The Company may from Time to Time borrow on Mortgage (in addition to any other Sums they are authorized to borrow) any Sum not exceeding in the whole Eighty thousand Pounds for the Purposes and on the Security of their Undertaking under this Act, but no Part thereof shall be borrowed until the whole of the additional Capital of Two hundred and forty thousand Pounds by this Act authorized is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the said additional Capital has been issued and accepted, and that One Half thereof is paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid on account thereof

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before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Arrears may be enforced by Appointment of a Receiver.

14. The Mortgagees of the Company may enforce Payment of Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than Ten thousand Pounds in the whole.

Existing Mortgages to have Priority.

15. All Mortgages granted by the Company in pursuance of the Powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages have Priority over any Mortgages to be granted by virtue of this Act.

Application of Monies.

16. All Monies raised under this Act, whether by Shares or borrowing, shall be applied only for the respective Purposes for which the same are by this Act authorized to be raised.

Lands for extraordinary Purposes.

17. The Quantity of Land to be taken by the Company by Agreement under the Authority of this Act for the extraordinary Purposes mentioned in "The Harbours, Docks, and Piers Clauses Act, 1847," shall not exceed Ten Acres.

Powers for compulsory Purchases limited.

18. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Works.

19. The Docks, Road, and Works shown on the deposited Plans shall be completed within Ten Years from the passing of this Act, and on 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 shall then be completed.

Power to dredge River.

20. The Company may from Time to Time enter upon, dredge, cleanse, and scour the River *Axe* and its Bed and Shore from its Mouth to the Eastern End of the Docks.

21. Subject

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21. Subject to the other Provisions of this Act, the Company may in making the Docks and Road, and the Works connected therewith, deviate laterally from the Line of the Works laid down on the deposited Plans to any Extent within, but not beyond, the Limits of Deviation delineated on those Plans, and may deviate vertically from the Levels of the Works shown on the deposited Sections to any Extent not exceeding Five Feet.

Power to deviate.

22. The Bridge for carrying the Road by this Act authorized over the River *Axe* shall be made with Spans, each of the Width of Forty Feet at least, Two of which shall be opening Spans.

Dimensions of Bridge.

23. If in the course or by means of the Execution of any of the Works by this Act authorized any Land below High-water Mark belonging to Her Majesty shall be inned, gained, or reclaimed from the Water, the said Company shall not have or exercise any Right upon the same or in respect thereof, and shall not enter upon, take, use, or interfere with the Lands so inned, gained, or reclaimed for any Purpose whatsoever, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, but such inning, gaining, or Reclamation shall enure absolutely for the Benefit of the Queen's Majesty, Her Heirs and Successors.

Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c.

24. Nothing contained in this Act or in any of the Acts herein referred to shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), neither shall anything in the said Act or Acts contained divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving Rights of the Crown.

25. It shall be lawful for all Officers of Customs being in the Execution of their Duty to have free Ingress and Egress into and out of the said Docks and Premises, and through the Gates and Entrances of the same, and also freely to pass with their Vessels and Boats through the Locks and Water Communications of the said Docks and Premises at all Times (provided the State of the Tide and Water Communications of the said Docks and Premises will admit of such passing).

Officers of Customs to have free Access to Docks.

26. The

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Limits of
Dock-
master's
Powers.

26. The Limits within which the Powers of the Dock-master for the Regulation of the Docks shall be exercised shall be the Docks of the Company, and their Works and Premises connected therewith, and the River *Axe*, and its Bed, Shores, and Channels from the Bridge by this Act authorized to the Mouth of that River.

Officers and
Byelaws.

27. The Company may from Time to Time, if they think fit, appoint one and the same Person to be the Harbour-master under "The *Brean Down Harbour Act, 1862*," and the Dock-master under this Act, and may from Time to Time, if they think fit, make for the Harbour and Docks jointly, and so as to apply both to the Harbour and Docks, any Byelaws authorized by this Act or that Act.

Appoint-
ment of
Meters and
Weighers.

28. The Company may from Time to Time appoint and license Persons to be Meters and Weighers within the Docks.

Extending
certain
Provisions
of original
Act to this
Act.

29. The following Sections of "The *Brean Down Harbour Act, 1862*," (*videlicet*),

Section 32 (relating to Dredge Boats, &c.);

Section 33 (relating to Steam Tugs, &c.);

Section 34 (relating to Byelaws as to Ballast);

Section 35 (relating to Disposal of Ballast);

Section 36 (relating to the casting of Dredge Stuff, Ballast, &c., not to be cast into Harbour or Sea);

Section 40 (relating to Power of Constables to go on board Vessels);

Sections 41, 42, 43, 44, and 45 (relating to Pilots and Pilotage);

Sections 54 and 55 (relating to Pilotage Rates and Fees);

Section 56 (relating to Ballast Rates),

shall extend and apply to the Docks by this Act authorized as well as to the Harbour of the Company, and as if those Docks were named or referred to in addition to the Harbour throughout those Sections, but shall not be read or have Effect so as to impose cumulative Penalties for any One Offence.

Construction
of certain
other Sec-
tions.

30. In the Construction of Sections 37, 38, and 39 of "The *Brean Down Harbour Act, 1862*," (relating to the Company being a Pilotage, Local, and Harbour Authority, to Lights and Beacons, and to Appointment of Harbour-master and other Officers,) the Purposes of this Act shall be deemed to be Purposes of that Act.

Rates and
Dues.

31. The Company may from Time to Time demand and take,—

(A.) In respect of Vessels entering or using the Docks, any Rates not exceeding those specified in the First Schedule to "The *Brean Down Harbour Act, 1862*," annexed:

(B.) In

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(B.) In respect, of landing or embarking and the shipping and unshipping at or in the Docks of Animals and Things, any Rates not exceeding those specified in the Second Schedule to the same Act annexed:

(C.) In respect of the Use of Cranes, Weighing Machines, or Sheds provided by them, any Rates not exceeding those specified in the Third Schedule to the same Act annexed:

And Section 50 of that Act, relating to Fractions of a Halfpenny, shall extend and apply to the Rates by this Act authorized to be taken: Provided that Section 48 of that Act, conferring certain Exemptions, shall extend and apply to the Rates by this Act authorized, and as if throughout that Section the Docks were named as well as the Harbour: Provided also, that the Rates specified in the said Second Schedule shall not be taken or demanded both in the Harbour and Docks in respect of the same Animal or Thing, but only in one or the other of them.

32. The Company may from Time to Time demand and take from every Passenger landing or embarking at the Docks any Sum not exceeding Sixpence. Passenger Tolls.

33. From and after the Completion of the Bridge and Road they shall be deemed a public Bridge and public Highway, and, subject to the Provisions of this Act, all Persons, with or without Horses, Animals, and Carriages, shall have free Liberty, on Payment of the Road Tolls by this Act granted, to pass over the same without any Interruption; but the Bridge shall not be deemed a County Bridge, or the Road a Parish Highway or District Highway, so as to make the County of *Somerset*, or any Parish or Highway District Board, liable to repair, light, or watch the Bridge or Road, or any Part thereof. Bridge and Road to be public.

34. The Company may erect and maintain in, upon, or across the Bridge over the River *Axe* and the Road hereby authorized to be constructed, or on the Sides thereof, any Toll Gates or Bars, and may from Time to Time remove the same, or any of them, and erect other Toll Gates or Bars in lieu thereof. Company may erect Toll Gates on Bridge and Road.

35. For the Purposes of this Act a Certificate under the Hand of the Chairman of Quarter Sessions for the County of *Somerset* shall be conclusive Evidence that the Bridge and Road are completed and fit for the Passage of Traffic, and such Chairman shall sign such Certificate on satisfactory Proof being adduced to him of such Completion and Fitness. Certificate of Completion of Bridge and Road.

36. Upon the Completion of the Bridge and Road, and at all Times thereafter, the Company may demand and take at the several Power to take Road Tolls.

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and

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and respective Toll Gates and Bars which shall by virtue of this Act be upon, across, or on the Sides of the said Bridge or Road such Tolls as the Company shall from Time to Time direct, not exceeding the Sums following; (to wit,)

For every Horse or other Beast (drawing), any Sum not exceeding Sixpence:

For every Horse or Mule (not drawing), laden or unladen, any Sum not exceeding Twopence:

For every Ass, laden or unladen (not drawing), any Sum not exceeding One Penny:

For every Drove of Oxen or Neat Cattle, any Sum not exceeding Tenpence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Swine, Sheep, or Lambs, any Sum not exceeding Fivepence *per* Score, and so in proportion for any greater or less Number:

For every Locomotive, and for every Waggon, Wain, Cart, or Carriage drawn or propelled by any Locomotive, any Tolls not exceeding the Tolls limited by "The Locomotive Act, 1861:"

For every Foot Passenger or Person on Foot (except the Person or Persons, not exceeding Two in Number, actually driving and accompanying any Carriage, Waggon, Wain, Cart, or other Vehicle liable to Toll), any Sum not exceeding One Penny:

And for every Person who, with Intent to evade the Payment of the Toll for Foot Passengers, shall ride in or upon any Waggon or Wain, or any Cart or other such-like Vehicle (not being a Cart or Carriage usually employed for the Conveyance of Passengers for Hire), or shall ride upon any Horse or Beast drawing any such Waggon, Wain, Cart, or other such-like Vehicle, any Sum not exceeding One Penny:

Which said Tolls are in this Act called the Road Tolls, and shall be taken before any Horse, Mule, Beast, or other Cattle, or Carriage, or Person liable to Toll, shall be permitted to pass through any Toll Gate or Bar which shall be by virtue of this Act upon or across the Bridge or Road, or on the Sides thereof.

As to the Fraction of a Halfpenny in Tolls.

37. If and whenever there shall be a Fraction of a Halfpenny in the Amount of the Road Tolls, a Halfpenny may be taken instead of such Fraction.

Power to vary Road Tolls.

38. The Company may from Time to Time lessen and reduce, or advance and raise, all or any of the Road Tolls, but so that the same shall not in any Case exceed the Amounts by the Act granted.

Only One full Toll to be payable.

39. No more than One full Toll shall be taken for passing and repassing once only on the same Day (to be computed from Twelve of

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of the Clock at Night to Twelve of the Clock on the next succeeding Night) with the same Horses, Beasts, Cattle, or other Animal or Thing liable to the Road Tolls through all the Toll Gates or Bars to be erected on the Bridge and Road, except as in this Act otherwise provided.

40. The Road Tolls shall be paid for all Horses or Cattle drawing any Postchaise, Hackney Coach, Fly, Jaunting Car, or other Carriage travelling for Hire as often as any new Hiring shall take place, and for all Horses or Cattle drawing any Omnibus, Caravan, Stage Coach, Stage Waggon, or other Stage Carriage or Stage Cart as often as they shall pass over the Bridge or Road, in the same Manner as if no previous Payment of Toll in respect of such Horses, Animal, or Cattle had been made on the same Day.

Post-chaises, &c. to pay on each fresh Hiring.

41. The Road Tolls shall be subject to all such and the same Exemptions as the Tolls taken on any Turnpike Road in *England* are, or from Time to Time may be, by virtue of the Public General Acts relating to Turnpike Roads in *England* for the Time being in force; and all the Clauses and Provisions of those Acts relating respectively to Tolls and Exemptions from Tolls, to the letting of Tolls, to the ascertaining and Recovery of Tolls, to the Settlement of Disputes, to the Evasion of Tolls, to the Prevention and Punishment of Offences, to the Protection, Government, and Punishment of Collectors and other Officers and Servants, to the ascertaining, Recovery, and Application of Penalties, and all other the Clauses and Provisions of those Acts, so far as the same can be made applicable, and in all Particulars not in this Act otherwise provided for, shall extend and apply to the said Bridge and Road, to the Road Tolls, to the Company and their Lessees, and their respective Collectors and Servants, as fully and effectually as if the said Bridge and Road were a Turnpike Road in *England*; and for the Purposes of those Clauses and Provisions the Company shall be deemed to be the Trustees or Commissioners of the said Bridge and Road, and the Secretary of the Company shall be deemed to be the Clerk to the Trustees or Commissioners.

Extending Provisions of General Turnpike Acts to Bridge.

42. The Company and the *Bristol and Exeter* Railway Company may from Time to Time enter into and carry into effect Contracts with respect to the following Purposes, or any of them, and any incidental Matters; (to wit,)

Contracts with Bristol and Exeter Railway Company.

The Use and Maintenance by both or either of the contracting Companies of the Works and Conveniences by this Act authorized, or any of them (except the Road and Bridge by this Act authorized):

The Carriage of Traffic to or from the Docks over the Railways of the *Bristol and Exeter* Railway Company:

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The Rates and Charges for such Traffic to be levied at or on the Railways, the Docks, Bridge, and Road, and the Appropriation thereof:

The Rents, Payments, Rebates, Drawbacks, Reductions, and Allowances to be made and paid by each or either of the contracting Companies to the other in respect of the Matters aforesaid.

Docks to be included in the Harbour for Purposes of a certain Agreement.

43. If by any other Act of the present Session of Parliament (whether passed before or after this Act) certain Articles of Agreement, dated the Tenth Day of *June* One thousand eight hundred and sixty-five (and made between the *Brean Down Harbour Company* of the First Part, Sir *John Eardley Eardley Wilmot* of the Second Part, and the *Bristol and Exeter Railway Company* of the Third Part), are confirmed, then for the Purposes of those Articles (except Article 8, which shall not apply to the Docks) the Docks by this Act authorized shall be deemed Part of the Harbour of the Company, and those Articles and the other Act shall be read and have Effect accordingly, and in those Articles the Term "*Brean Down Harbour Act*" shall be deemed to include this Act.

Docks not exempt from Provisions of General Acts.

44. Nothing herein contained shall be deemed or construed to exempt the Docks by this Act authorized to be made from the Provisions of "*The Merchant Shipping Act, 1854,*" or of any General Act relating to Docks or Dues on Shipping, or on Goods carried in Ships, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the Dock Rates or Dues authorized by this Act.

Expenses of Act.

45. All Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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