



CHAPTER lxxi.

An Act to authorise the improvement of the bridge over the River Teign at Teignmouth in the county of Devon to make further provision in regard to the ferry across the said river at Teignmouth and for other purposes.

A.D. 1926.

[4th August 1926.]

WHEREAS by the Act 5 George IV. Cap. CXIV. entitled "An Act for building a bridge over the River Teign at Teignmouth in the County of Devon and for making approaches to the same" (in this Act referred to as "the Act of 1824") the Teignmouth and Shaldon Bridge Company (in this Act referred to as "the Company") were incorporated and authorised to build and maintain a bridge over and across the River Teign from Teignmouth to Shaldon with convenient approaches thereto to keep and maintain a boat for the conveyance of foot passengers across the River Teign and also to purchase a ferry over the said river from Teignmouth to Shaldon:

And whereas the bridge was duly constructed and has been open to the public for many years but it is now considered necessary and expedient having regard to the largely increased traffic thereon and with a view to the safety of the public that the same should be widened and strengthened and that the Company should for that and other purposes be enabled to raise additional capital:

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And whereas in pursuance of the powers conferred by section LVI. (Company empowered to treat for the purchase of lands) of the Act of 1824 the Company have purchased the ferry over the said river between Teignmouth and Shaldon and have for many years operated the same and it is expedient that further powers should be conferred upon the Company in relation thereto and that the limits of the ferry should be defined :

And whereas the Company have raised twenty thousand five hundred pounds by the issue of four hundred and ten ordinary shares of fifty pounds each and have raised the sum of four thousand five hundred pounds by the issue of bonds :

And whereas it is expedient that the existing shares should be divided into one pound shares and that further provision should be made in regard to the finances of the Company and the management of their undertaking :

And whereas it is expedient that the tolls and charges levied and made by the Company under the powers of the Act of 1824 should be revised and that the tolls and charges in respect of the ferry should be regulated as in this Act provided :

And whereas it is expedient that the further provisions contained in this Act should be made :

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and plans of the lands required or which may be taken for the purposes or under the powers of this Act with a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands have been deposited with the clerk of the peace for the county of Devon which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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 A.D. 1926.
as follows (that is to say):—

PART I.

PRELIMINARY.

1. This Act may be cited as the Teignmouth and Shaldon Bridge Act 1926. Short title.

2. This Act is divided into Parts as follows namely:— Division of
Act into
Parts.

- Part I.—Preliminary.
- Part II.—Bridge and bridge works.
- Part III.—Lands.
- Part IV.—Ferry.
- Part V.—Tolls and charges.
- Part VI.—Financial and general.
- Part VII.—Miscellaneous.

3. The following Acts and parts of Acts so far as the same are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Act are subject to the provisions of this Act hereby incorporated with this Act (that is to say):— Incorporation of
Acts.

The Companies Clauses Consolidation Act 1845 and Part I. (relating to cancellation and surrender of shares) sections 13 and 15 (relating to preference shares) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts;

The Lands Clauses Acts; and

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and in such provisions for the purposes of this Act “the railway” and “the work” mean the works authorised by this Act and “the centre of the railway” means the centre of such works respectively.

4. In this Act the several words terms and expressions to which by the Acts wholly or partially incorporated herewith meanings are assigned shall have the same respective meanings unless there be something in the Interpreta-
tion.

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A.D. 1926. subject or context repugnant to such construction And in this Act unless the context otherwise requires:—

“The Company” means the Teignmouth and Shaldon Bridge Company;

“The Act of 1824” means the Act 5 George IV. cap. CXIV.;

“The directors” and “the secretary” mean respectively the directors and the clerk or secretary of the Company;

“The bridge” and “the ferry” mean respectively the bridge and the approaches thereto and the service of ferry vessels belonging to the Company and authorised by the Act of 1824 and this Act;

“The bridge works” means the works authorised by the section of this Act of which the marginal note is “Power to construct bridge works”;

“The undertaking” means the bridge and the ferry and all works and lands for the time being belonging to and held by the Company under the powers of the Act of 1824 or this Act;

“Vessel” means vessel ship boat yacht lighter barge seaplane hydroplane and craft of every description however propelled;

“The river” means the River Teign;

“The commissioners” means the Teignmouth Harbour Commissioners or other the body for the time being responsible for the management and improvement of the harbour of Teignmouth.

Partial repeal of Act of 1824. 5.—(1) As from the date of the passing of this Act the Act of 1824 shall by virtue of this Act be repealed except (a) section LXXVIII. (Power to erect turnpikes and take tolls) and (b) the sections and parts of sections of the said Act which are set out in the First Schedule to this Act all which sections and parts of sections are hereby excepted from repeal and as far as they respectively are in force on the said date shall remain in force as if this Act had not been passed Provided that the word “vessel” in sections XCIV. (Owners of vessels liable for damage) and XCIX. (For preventing all nuisances on the bridge and approaches) of the Act of 1824 shall include seaplane and hydroplane.

(2) Section LXXVIII. (Power to erect turnpikes and take tolls) of the Act of 1824 except so much of that section as is set out in the First Schedule to this Act shall by virtue of this Act be repealed as from the date of the completion of the work of widening the bridge (between the southern end of the masonry portion of the bridge on the north side and the northern end of the masonry portion of the bridge on the south side) to a width of not less than twenty-eight feet six inches and the opening of the widened portion of the bridge for traffic. A certificate signed by the secretary shall be conclusive evidence of the completion of the said work and the opening of the widened portion of the bridge for traffic.

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6. Notwithstanding the provisions of the section of this Act of which the marginal note is "Partial repeal of Act of 1824" the following provisions shall have effect (that is to say):—

Savings
from effect
of repeal.

- (1) If on the respective dates on which the sections of the Act of 1824 are by virtue of the said section of this Act repealed (in this section referred to as "the date of repeal") any action arbitration or proceeding or any cause of action arbitration or proceeding is pending or existing against or in favour of the Company the same shall not abate or be discontinued or in anywise prejudicially affected by reason of the partial repeal of the Act of 1824 but the same may be continued prosecuted and enforced by against or in favour of them as if this Act had not been passed:
- (2) All tolls rates and charges in connection with the undertaking which have been lawfully made charged or imposed and which on the date of repeal are due or if this Act had not been passed would have accrued due shall continue in force and be due and payable and may be collected recovered or enforced as if this Act had not been passed:
- (3) All agreements covenants contracts deeds and other instruments entered into or made with or by the Company and in force on the date of repeal shall be as binding and of as full force

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and effect in every respect against or in favour of the Company and may be enforced as fully and effectually as if this Act had not been passed :

- (4) All books and documents which if this Act had not been passed would have been evidence in respect of any matter for or against the Company shall be admitted in evidence in all respects as if this Act had not been passed.

Under-taking to continue vested in Company.

7. The undertaking as it exists and as it is used and enjoyed by the Company at the date of the passing of this Act shall (subject to the provisions of this Act) be and continue vested in the Company and be held used and enjoyed by them.

PART II.

BRIDGE AND BRIDGE WORKS.

Power to construct bridge works.

8. The Company may subject to the provisions of this Act and in the line or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections construct the works hereinafter described with all necessary and proper openings approaches piers abutments footways carriageway works and conveniences connected therewith.

The works hereinbefore referred to and authorised by this Act will be situate in the parishes of Teignmouth and Saint Nicholas in the urban district of Teignmouth and are the reconstruction and widening of the bridge commencing in the parish of Teignmouth at a point in the main road from Newton Abbot to Teignmouth thirty yards or thereabouts measured in a south-westerly direction from the junction of that road with Mill Lane and terminating in the parish of Saint Nicholas at a point in Bridge Road twenty-five yards or thereabouts measured in a northerly direction from the south-west corner of Saint Peter's church.

Provision of opening span.

9.—(1) In reconstructing and widening the bridge the Company shall provide an opening span in the same position as the existing opening span having a clear width of not less than twenty-nine feet two inches at the level of high-water mark of ordinary spring tides and a

clear headway (when closed) of not less than seven feet three inches above high-water mark as aforesaid. A.D. 1926.

(2) The Company may and if required by the Minister of Transport shall make byelaws—

- (a) for regulating controlling and limiting the use of the opening span of the bridge and the time and mode of vessels passing through the same and the notice to be given by the master or person having command or charge of any such vessel;
- (b) for preventing injury and damage to the opening span;
- (c) for regulating the duties and conduct of all persons and the officers and servants of the Company who shall be employed in connection with the opening span;
- (d) for preventing persons navigating vessels from negligently or wilfully obstructing the working of the opening span and for preventing any person from negligently or wilfully obstructing the approaches to the opening span or doing anything to hinder or interfere with the proper working of the same; and
- (e) with respect to the traffic along the bridge and for regulating the use of the bridge;

and such byelaws may impose reasonable penalties for the breach thereof not exceeding the sum of ten pounds for each offence. The Company may enforce and from time to time alter repeal vary or amend any such byelaws:

Provided that no such byelaws nor any alteration repeal variation or amendment of any existing byelaws shall come into operation until the same shall have been confirmed by the Minister of Transport who shall consider any representations which may be made thereon by the commissioners; and

Provided also that when any proposed byelaws or any alteration repeal variation or amendment of any existing byelaws shall be submitted to the Minister of Transport for confirmation the Company shall at the same time submit a copy of the same to the commissioners.

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(3) If any vessel is wilfully or negligently detained at the opening span of the bridge or unreasonably obstructed contrary to the provisions of any such byelaw the Company or the person in charge of the said opening span shall be liable to a penalty not exceeding ten pounds for each offence which shall be recoverable summarily by the owner or person in charge of such vessel. Any such vessel shall not be entitled to the benefit of this subsection unless the byelaws are and have been complied with by the master or person having command or charge of the vessel.

(4) If the master or person having command or charge of any vessel shall be guilty of wilful neglect or unreasonable delay in passing or preparing to pass through the said opening span he shall be liable to a penalty not exceeding five pounds for each offence.

(5) (a) The Company may demand and take for the passage of vessels through the said opening span rates and charges not exceeding such maximum rates and charges as may from time to time be approved by the Minister of Transport.

(b) Any application for a revision of such maximum rates and charges may be made by the Company or by the commissioners.

(c) Before approving or revising any maximum rates or charges under this subsection the Minister of Transport may direct a local inquiry to be held at which the commissioners shall be entitled to be heard.

(d) Where the Minister causes any such inquiry as aforesaid to be held all expenses incurred by the Minister in relation to that inquiry shall be paid as the Minister may by order direct either by the Company or by any party on whose representation the inquiry is held or partly by the Company and partly by any such party and the Minister may certify the amount of the expenses so incurred and any sum so certified and directed by the Minister to be paid shall be a debt due to the Crown.

Headway
of bridge.

10. Notwithstanding anything in this Act contained or shown upon the deposited plans and sections the Company in reconstructing and widening the bridge shall construct the spans of the bridge hereinafter mentioned so that the same shall to the extent of at least half the width of the spans have the headway above high-water

mark of ordinary spring tides hereinafter mentioned (that is to say) :— A.D. 1926.

- (a) The third and ninth spans from the north bank of the river shall have a headway of not less than nine feet six inches ;
- (b) The fourth and eighth spans shall have a headway of not less than nine feet ten inches ;
- (c) The fifth and seventh spans shall have a headway of not less than ten feet two inches ;
- (d) The sixth span shall have a headway of not less than ten feet six inches.

11. The bridge when reconstructed and widened under the powers of this Act shall be of such strength as shall be sufficient to carry the present standard load prescribed by the Minister of Transport. Strength of bridge.

12. Subject to the provisions of this Act the Company may make on or in the banks bed soil and foreshore of the river and elsewhere in connection with the bridge and at or near any works or erections to be made or put up by the Company for or connected with the construction of the bridge works and may place and keep in the river all such temporary piles fenders booms dolphins pontoons caissons stagings coffer-dams and all such permanent embankments piers abutments wharves walls fences drains stairs subways buildings and all such other works and conveniences as they may deem proper or find necessary or expedient and may use any public mooring places on the river. Subsidiary works affecting river.

13. Subject to the provisions of this Act the Company may in constructing the bridge works deviate to any extent not exceeding three feet downwards and five feet upwards from the levels defined on the deposited sections and may deviate laterally from the line of the bridge works to any extent within the limits of deviation defined on the deposited plans : Power to deviate.

Provided that no deviation either lateral or vertical below high water mark of ordinary spring tides shall be made without the consent in writing of the Board of Trade.

14. Subject to the provisions of this Act and within the limits of deviation defined on the deposited plans the Company in connection with the works by this Part Power to make subsidiary works.

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of this Act authorised may break up make junctions and interfere with and alter the line or level of any street bridge way or watercourse interfered with by or contiguous to any portion of the said works and may alter and interfere with any steps walls railings and pavements and execute any works for the protection of any adjoining land or buildings In the exercise of the powers conferred by this section the Company shall cause as little detriment and inconvenience as circumstances admit to any person and shall make reasonable compensation for any damage caused to any person by the exercise of such powers.

Penalty for obstructing works.

15. Any person who wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works authorised by this Act or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of those works shall for every such offence be liable to a penalty not exceeding five pounds.

Alteration of position of mains and pipes.

16. The Company may for the purposes of or in connection with the works by this Part of this Act authorised within the limits of deviation shown on the deposited plans raise sink or otherwise alter the position of any watercourse water pipe or gas pipe belonging to or connected with any house or building adjoining or near to such work and also any gas or water main drain or other pipe and also any telegraphic line and any pipe tube wire or apparatus laid down for supplying electricity and may remove any other obstruction making in cases of alteration proper substituted works in the meantime and causing as little detriment and inconvenience as circumstances admit and making full compensation to any person who suffers damage by such alteration:

Provided that all such alterations shall be made in accordance with plans and sections previously submitted to and reasonably approved in writing by the owners of any watercourse gas or water main drain or other pipe tube wire or apparatus so proposed to be raised sunk altered or otherwise interfered with but such approval shall be deemed to have been given unless such owners signify their disapproval within twenty-eight days after submission of the said plans and sections for approval Any difference arising between the Company and any such owners under this section shall be settled by arbitration:

Provided further that the Company shall not raise sink or otherwise alter or in any way interfere with any telegraphic line belonging to or used by His Majesty's Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

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17. The Company for the purposes of this Act and during the execution of the works by this Part of this Act authorised may in or upon the lands shown upon the deposited plans temporarily stop up or interfere with alter or divert all or any part of any street place wharf quay or tramway and may cause to be put up sufficient palisades hoardings and other erections and may construct temporary works for keeping any such street place wharf quay or tramway open for traffic and may make such orders for regulating the traffic as to them shall seem proper and they may remove and alter any drinking troughs lamp-posts and other erections on the said lands.

Power to stop up or interfere temporarily with streets &c.

The Company shall provide reasonable access for all persons bonâ fide going to or returning from any house in any such street or place and shall in each case do as little damage as possible and shall make full compensation to all persons injuriously affected by the exercise of the powers of this section.

18. The Company may cause to be removed arched over or filled up all such culverts sewers or drains or parts thereof which shall be in or near any street which shall be interfered with for the purposes of the works by this Part of this Act authorised as shall appear to them necessary for executing the purposes of this Act but no culvert sewer or drain (unless the same become unnecessary) shall be in anywise disturbed injured or prejudiced without another equally serviceable and convenient culvert sewer or drain being substituted therefor All such substituted culverts sewers and drains when made and completed shall be under the same jurisdiction care management and direction as the culverts sewers or drains for which they were substituted.

Sewers or drains to be removed arched over or filled up.

19. Subject to the provisions of this Act and within the limits of deviation defined on the deposited plans the Company may for the purposes of and in connection with the powers granted to them by this Act stop up and appropriate the site and soil of any streets ways

Power to stop up streets.

[Ch. lxxi.] *Teignmouth and* [16 & 17 GEO. 5.]
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A.D. 1926: courts passages or alleys shown upon the said plans so
— far as the Company are the owners in possession of all
houses and lands on both sides thereof making reasonable
compensation to any person who suffers damage by any
such stopping up as aforesaid.

Carriage-
way and
footways
on bridge.

20. The Company may cause such part of the bridge to be laid out for carriageway and such part thereof for footways as they may think proper and may upon the lands acquired by them or vested in them under the powers of the Act of 1824 or this Act and within the limits of deviation defined on the deposited plans construct and provide such works and conveniences as they may respectively think proper for the purposes of the bridge and in laying out or forming such carriageway footways and works the Company may in addition to the powers by this Act conferred exercise the same powers and authorities as are vested in and shall be subject to the same liabilities only in respect thereof as are imposed upon any urban or road authority when they stop up temporarily any road or thoroughfare or any part thereof in the repairing or repaving of any street.

Connection
of drains
&c. with
streams
&c.

21. Any sewers drains or works laid or constructed by the Company in connection with the works by this Part of this Act authorised for the purpose of draining or carrying away surface water therefrom or otherwise may be connected with any available river stream or watercourse or with any sewer or drain and the Company may accordingly but within the limits of deviation shown on the deposited plans lay down maintain and alter or remove any conduits pipes and other works and make any convenient connections with any such river stream watercourse sewer or drain :

Provided that the powers of this section shall not be exercised so as to damage or affect the railway works or property of the Great Western Railway Company.

Period for
completion
of bridge
works.

22. If the bridge works be not completed within ten years from the passing of this Act then on the expiration of that period the powers of the Company under this Act for the construction thereof shall cease except so far as the same shall have been completed Provided that the Company may widen the bridge approaches as and when occasion may require.

23. Notwithstanding anything in any Act to the contrary it shall not be lawful for any person to enter upon break up or interfere with any part of the bridge or the carriageway and footways over the same for the purpose of executing any work whatsoever therein thereon or thereunder except with the consent of the Company in writing under their common seal and in accordance with such terms and conditions either as to the payment of any rent or other valuable consideration or otherwise as the Company may determine :

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Prohibiting works on bridge.

Provided that nothing in this section contained shall alter prejudice or affect any of the rights powers and authorities of the Postmaster-General under the provisions of the Telegraph Acts 1863 to 1925 or affect the powers of the Great Western Railway Company with respect to the maintenance and repair of the bridge carrying the northern approach to the bridge of the Company over the South Devon Railway.

24. The structure of the bridge shall be maintained by and at the expense of the Company and the carriageway and footways on the bridge and sewers or drains therein or thereon shall be maintained repaired and cleansed by the Company.

As to maintenance of bridge.

25.—(1) The local authority within whose district the bridge is situate may by agreement with the Company undertake the lighting or cleansing of the carriageway and footways on the bridge or any part thereof.

Agreements with local authorities for lighting or cleansing bridge.

(2) Any expenses incurred by the local authority under this section may be paid out of the district fund and general district rate of their district.

26.—(1) A person shall not in any circumstances drive a locomotive or motor car or other mechanically propelled vehicle on the bridge at a speed exceeding—

Limit of speed of vehicles.

(a) twenty miles per hour in the case of a vehicle propelled by mechanical power weighing not more than two tons unladen and not used for the purpose of drawing more than one vehicle (such vehicle with its locomotive not to exceed in weight unladen four tons);

(b) twelve miles per hour in the case of a vehicle propelled by mechanical power weighing more than two tons and not more than three tons

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unladen and not used for the purpose of drawing more than one vehicle (such vehicle with its locomotive not to exceed in weight unladen four tons);

(c) five miles per hour in the case of any other locomotive or motor car or other mechanically propelled vehicle.

(2) If any person acts in contravention of the foregoing provisions of this section he shall be liable on summary conviction to a fine not exceeding ten pounds.

(3) Where a person is prosecuted for an offence under this section he shall not be convicted unless he is warned of the intended prosecution at the time the offence is committed or unless notice of the intended prosecution is sent to him or to the owner of the locomotive or motor car or other vehicle within such time after the offence is committed not exceeding twenty-one days as the court think reasonable.

(4) The Company shall place notices in a conspicuous place at each end of the bridge as to the provisions of subsection (1) of this section.

Power to erect fenders &c.

27. The Company may from time to time set up and erect maintain and repair proper fenders jetties or other works for the protection of the bridge and for guiding vessels through the spans or arches thereof.

Sale of materials.

28. Subject to the provisions of the section of this Act of which the marginal note is "Crown rights" all materials removed by the Company from any street road or other place altered by them under the powers of this Act or from the subsoil thereunder or otherwise obtained by them in the execution of any works under the powers of this Act shall vest in the Company who may use the same or any part thereof for the purposes of any such works. The Company shall sell or dispose of all such materials as aforesaid as may not be permanently required for any such purposes and shall credit the proceeds of any such sale or disposal against the costs and expenses of and in relation to the execution of any works authorised by this Act and the acquisition of any lands and easements therefor.

Power to close bridge

29. The Company may during the construction of the bridge works wholly or partially close the bridge

for traffic at such times and for such period as they think fit and on and after the completion of the bridge works the Company may in cases of emergency close the bridge for traffic except as to persons animals or vehicles of whatever description exempted from tolls under this Act (so far as passage by such persons animals or vehicles may be reasonably safe and practicable) for such periods as they think fit.

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during
reconstruc-
tion.

30. The following provisions for the protection of the commissioners shall unless otherwise agreed in writing between the Company and the commissioners apply and have effect in relation to the exercise of the powers conferred by this Part of this Act (that is to say) :—

For protec-
tion of
Teignmouth
Harbour
Commis-
sioners.

- (1) The works by this Part of this Act authorised so far as they affect the traffic on the river shall when commenced be proceeded with and completed as soon as reasonably practicable and the Company shall upon completion of the bridge works remove any temporary works and materials for temporary works which may have been erected or placed in the river or on or over or under the bed shores or banks thereof by the Company in connection therewith :
- (2) In the reconstruction and widening of the bridge and subsequent repair of the bridge and any works in the river or on or over or under the bed shores or banks thereof the traffic on the river shall not be interfered with except so far as may be reasonably necessary :
- (3) If the Company use any public mooring places on the river the Company shall pay to the commissioners the proper charges for the use of the same :
- (4) If any difference shall arise between the Company and the commissioners as to any matter in this section referred to such difference shall be referred to and determined by an arbitrator to be agreed on between the parties or failing agreement appointed by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

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PART III.

LANDS.

Power to
take lands.

31. Subject to the provisions of this Act the Company may enter upon take and use all or any of the lands shown on the deposited plans and described in the deposited book of reference which they may require for the purposes of the bridge works or of recoupment or exchange or for other purposes of this Act.

Purchase
of lands by
agreement.

32. In addition to the other lands which the Company are by this Act authorised to purchase and acquire they may purchase take on lease or acquire by agreement and may hold for the purposes of this Act any lands not exceeding ten acres or any rights or easements therein :

Provided that nothing in this Act shall exonerate the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any lands purchased or used by them under the provisions of this section.

Persons
under
disability
may grant
easements
&c.

33. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Correction
of errors in
deposited
plans and
book of
reference.

34. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county of Devon for the correction thereof and if it shall appear to the justices that the omission misstatement or wrong description arose from

mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Devon and such certificate shall be kept by such clerk with the other documents to which the same relates and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate.

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35. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of their acquisition be extinguished. Provided that the Company shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

As to private rights of way over lands taken compulsorily.

36. The Company and their surveyors officers and workmen and any person duly authorised in writing under the hand of the secretary may at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards twelve hours' previous notice enter upon and into the lands and buildings which may be taken or used under the powers of this Act or any of them for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Power to Company to enter upon property for survey and valuation.

37. The tribunal to whom any question of disputed purchase-money or compensation under this Act is referred shall if so required by the Company award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Company by the claimant giving sufficient particulars and in sufficient time to enable the Company to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient

Costs of arbitration &c. in certain cases.

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time shall have been delivered and that the Company have been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant :

Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Company to amend the statement in writing of the claim delivered by him to the Company in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Company if they object to the amendment and such amendment shall be subject to such terms enabling the Company to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper in all the circumstances of the case :

Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

Compensation in cases of recently altered buildings.

38. In settling any question of disputed purchase-money or compensation under this Act the tribunal settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in lands created after the fifteenth day of November one thousand nine hundred and twenty-five if in the opinion of such tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Power to acquire easements.

39. Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not be required to purchase or acquire any part of the bed banks or foreshore of the river or to acquire any greater right or interest therein than the right to use such part of the same as they may deem necessary for the purpose of constructing and maintaining the bridge and other works by this Act authorised but the Company

may purchase and acquire and the owners of and other persons interested in the river and the said bed banks and foreshore shall sell to the Company if required such right as aforesaid and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of any such right as fully as if the same were lands within the meaning of this Act. A.D. 1926.

40. Subject to the provisions of this Act the Company may enter into and carry into effect agreements with any owners of property or other persons interested in any lands or property shown or partly shown on the deposited plans with respect to the purchase by the Company of any such lands or property or any rights or easements in on or affecting the same for such consideration being a sum of money in gross or a grant of land or partly money and partly land as may be agreed upon between the Company and such owners or other persons. Agreements with owners of property.

41. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts the Company may retain hold and use for such time as they may think fit and may from time to time sell lease or otherwise dispose of in such manner for such consideration and on such terms and conditions as they think fit and in case of sale either in consideration of a gross sum or of an annual rent or of any payment in any other form any lands acquired or purchased by them under this Act and not required for the purposes of the undertaking and may execute and do any deed act or thing proper for effectuating any such sale lease or other disposition. Power to retain sell &c. lands.

42. The powers of the Company for the compulsory purchase or taking of lands for the purposes of this Act shall cease after the expiration of three years from the thirty-first day of October one thousand nine hundred and twenty-six. Period for compulsory purchase of lands.

43. Notwithstanding anything in this Act contained or shown on the deposited plans the Company shall not without the consent in writing of the Great Western Railway Company enter upon take or use any property of that company. For protection of Great Western Railway Company.

A.D. 1926.

PART IV.

FERRY.

Power to work and maintain ferry.

44. Subject to the provisions of this Act the Company may continue maintain work and use a ferry service for passengers animals vehicles and goods between Teignmouth and Shaldon and may for that purpose purchase construct hire and provide employ maintain use work and sell or lease such vessels as they may deem necessary together with all proper appliances and conveniences.

Limits of ferry.

45. For the purposes of section XCVI. (Penalty for conveying persons over the river within a certain distance otherwise than over the bridge) of the Act of 1824 the limits of the ferry shall after the date of the passing of this Act be deemed to extend to so much of the river as lies to the east of an imaginary line drawn parallel with the bridge and at a distance of fifty feet in a westerly direction from the centre of the carriageway thereof.

Subsidiary works in connection with ferry.

46. Subject to the provisions of this Act the Company may construct purchase take on lease provide and maintain all proper necessary and convenient approaches landing stages warehouses sheds storage yards waiting rooms toll houses gates turnstiles dolphins moorings slipways hoists cranes and other works machinery appliances and conveniences for the purposes of and in connection with the ferry.

Byelaws as to ferry.

47. The Company may subject to the provisions of this Act make alter repeal vary amend and enforce byelaws with respect to the ferry for all or any of the purposes following (that is to say) :—

- (a) for regulating controlling and limiting the use of the ferry vessels and works;
- (b) for preventing the commission of nuisances in or upon the ferry works or the vessels used for the purposes of the ferry;
- (c) for preserving the vessels and works and preventing injuries and damage to the same;
- (d) for regulating the duties and conduct of all persons and the officers and servants of the

Company who shall be employed in and about the ferry and in and about the vessels used for the purposes thereof; A.D. 1926.
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- (e) for regulating the conveyance of passengers passengers' luggage animals and vehicles in or upon any vessels and the embarkation and disembarkation of the same respectively and for prohibiting the embarkation of any luggage animals and vehicles in any vessels used for the purposes of the ferry which may in the opinion of the Company be injurious to or prejudicially affect the use of such vessels or the traffic to be carried therein;
- (f) for regulating and controlling or preventing if thought fit the fastening or mooring of vessels of every description to any of the works;
- (g) for preventing persons navigating vessels from negligently or wilfully obstructing the working of the ferry and the vessels used for the purposes thereof and for preventing any persons with vessels horses or carriages or otherwise negligently or wilfully obstructing the approaches to the ferry and works or to such vessels or doing anything to hinder or interfere with the proper working of the same;

and such byelaws may impose reasonable penalties for the breach thereof not exceeding the sum of ten pounds for each offence:

Provided that no such byelaws shall come into operation until the same shall have been confirmed by the Minister of Transport who shall consider any representations which may be made thereon by the commissioners; and

Provided also that when any proposed byelaws or any alteration repeal variation or amendment of any existing byelaws shall be submitted to the Minister of Transport for confirmation the Company shall at the same time submit a copy of the same to the commissioners.

48. Upon payment of the ferry tolls all persons shall be entitled to use the ferry subject to the byelaws and regulations in that behalf from time to time made by the Company under this Act. Ferry to be open to traffic.

A.D. 1926.

Persons may be appointed to preserve order &c. at ferry works.

49. The Company may from time to time appoint a sufficient number of persons to preserve order on or at any landing stage or other work constructed or acquired by the Company.

Arrangements for provision of ferry service by other parties.

50. The Company may enter into contracts and arrangements with any company firm or person for the provision and working of the ferry and works connected therewith.

PART V.

TOLLS AND CHARGES.

Tolls and charges in respect of bridge.

51. As from the date of the repeal of section LXXVIII. (Power to erect turnpikes and take tolls) of the Act of 1824 under the section of this Act of which the marginal note is "Partial repeal of Act of 1824" the Company may demand and take for the use of the bridge any tolls not exceeding the sums mentioned in the Second Schedule to this Act and for any other services rendered by the Company in connection with the bridge such reasonable charges as the Company may think fit.

Ferry tolls.

52. The Company may demand and take for the use of the ferry any tolls not exceeding the sums mentioned in the Third Schedule to this Act and for any other services rendered by the Company in connection with the ferry and for the conveyance of animals (other than dogs) vehicles and goods on the ferry vessels such reasonable charges as the Company may think fit.

Power to charge for goods accommodation in connection with ferry.

53. In connection with the ferry the Company may make such reasonable charges as they think fit for the use of warehouses sheds and other buildings works and conveniences provided by them for the storage and accommodation of animals and goods and for the loading and unloading of animals and goods and the amount of such charges shall be recoverable in the like manner as ferry tolls.

Periodical revision of tolls.

54. If at any time after the expiration of ten years from the date of the completion of the work of widening the bridge (between the southern end of the masonry portion of the bridge on the north side and

the northern end of the masonry portion of the bridge on the south side) to a width of not less than twenty-eight feet six inches and the opening of the widened portion of the bridge for traffic or after five years from the date of any order made in pursuance of this section the Company or the local authority of the district in which the bridge or the ferry are situate make a representation to the Minister of Transport that in the circumstances then existing all or any of the tolls which may be demanded and taken by the Company under this Act in respect of the bridge or the ferry should be revised the Minister of Transport may (if he thinks fit) direct an inquiry to be held in manner provided by this Act and if it is proved to the satisfaction of the Minister that all or any of the said tolls should be revised the Minister may by order in writing alter modify reduce or increase all or any of such tolls and thenceforth such order shall be observed until the same is revoked or modified by an order of the Minister of Transport made in pursuance of this section :

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Provided that the tolls prescribed in any order made under this section shall so far as practicable be such as to provide a reasonable return on the share capital of the Company after meeting all prior charges properly chargeable to the revenue of the undertaking.

55.—(1) Lists of all tolls and charges from time to time appointed by the Company to be taken under this Act in respect of the bridge shall be exhibited in some conspicuous place or places where such tolls and charges shall respectively be payable and in respect of the ferry on some conspicuous part of every vessel used for the conveyance of passengers passengers' luggage animals or vehicles in connection with the ferry and no tolls or charges by this Act authorised shall be demanded or taken during any time at which the list containing the same shall not be exhibited in accordance with the provisions of this section.

Lists of tolls
&c. to be
exhibited.

(2) If any person shall wilfully pull down deface or destroy any such list of tolls and charges he shall be liable to a penalty not exceeding five pounds for every such offence.

56. The tolls and charges which may be taken by the Company under this Act in respect of the bridge

Taking and
recovery of
tolls &c.

A.D. 1926. and the ferry respectively shall be paid to such persons and at such places upon or near the bridge or the ferry vessels as the case may be and in such manner and under such regulations as the Company shall by notice to be annexed to the list of tolls and charges appoint and the Company may recover such tolls in a summary manner as a civil debt or by action in any court of competent jurisdiction.

Tickets to be delivered denoting payment of bridge tolls.

57. If the Company shall at any time erect toll-gates at more than one point on the bridge or the approaches thereto they shall provide tickets denoting the payment of toll and on such tickets shall be specified the name of the gate at which the same was issued and also the names of the several gates freed by such ticket one of which tickets shall be handed to the person paying the toll and on the production of such ticket at any gate or gates therein mentioned the person producing the same shall be allowed to pass through the gate or gates therein mentioned without paying any additional toll.

Persons may be prevented from using bridge or ferry on refusal to pay tolls.

58. If the tolls or charges payable by any person desirous of using the bridge or the ferry be demanded from him before using the same and such person shall after demand from him of such tolls or charges (such demand being made by any collector or other person appointed to receive the same) knowingly and wilfully refuse or neglect to pay the same or any part thereof the collector or other person so appointed may refuse to permit the person so in default to use the bridge or the ferry as the case may be and may by himself or with such assistance as he shall think necessary stop and prevent the person so in default from using the same.

Penalties on persons practising frauds.

59. If any person knowingly and wilfully and with intent to defraud refuse or neglect to pay the tolls or charges which shall have been demanded from him and be payable by him by virtue of this Act he shall for every such offence be liable to a penalty not exceeding forty shillings.

Penalties in case of

60. Every toll collector who shall commit any of the following offences shall upon conviction be liable

to a penalty not exceeding ten pounds for each such offence (that is to say) :— A.D. 1926.

If he refuse to tell his Christian name and surname to any person demanding the same who shall have paid or tendered the tolls and charges demanded of him or if he give a false name to any such person ;

offences
by toll
collectors.

If he wilfully and with intent to defraud demand or take a greater or less toll or charge from any person than he shall be authorised to do by virtue of this Act and of the orders of the Company made in pursuance thereof.

61. The Company may enter into a composition with any person with respect to the payment of any tolls or charges under this Act but so that no preference be in any case given to any person.

Power to
compound
for payment
of tolls &c.

62.—(1) Without prejudice to any existing right of His Majesty and save as provided by the Army Act and Air Force Act nothing in this Act shall extend to authorise any tolls or charges to be demanded or received from any person when on duty in the service of the Crown or for any animal vehicle vessel or goods the property of or when being used in the service of the Crown or returning after being so used or from any police officer acting in the execution of his duty or for any mail bag as defined by the Post Office Act 1908.

Exemptions
from tolls
&c. in case
of persons in
service of
Crown &c.

(2) Any police officer acting as aforesaid shall have the same right of access to and over the bridge for the purposes of supervision and carrying out his police duties as if the bridge were a public highway but nothing in this section shall place any obligation on the police authority or their officers to enforce any regulations made by the Company in so far as such regulations go beyond the ordinary law.

(3) If any person wilfully and with intent to defraud claims or takes the benefit of any such exemption as aforesaid without being entitled thereto he shall for every such offence be liable on summary conviction to a fine not exceeding ten pounds.

A.D. 1926.

PART VI.

FINANCIAL AND GENERAL.

Conversion of shares.

63. From and after the passing of this Act the four hundred and ten shares of fifty pounds each forming the issued capital of the Company shall by virtue of this Act be converted into twenty thousand five hundred ordinary shares of one pound each.

Division of new shares amongst holders of existing shares.

64. The ordinary shares of one pound each into which the existing shares of the Company are by this Act converted shall be divided among and vested in the several persons registered at the passing of this Act as holders of the ordinary shares of the Company or their executors administrators or assigns at the rate of fifty ordinary shares of one pound each for every ordinary share of fifty pounds.

New certificates for converted shares.

65.—(1) All shares to be issued on conversion under the powers of this Act shall be vested in the several persons who at the date of the passing of this Act shall be the registered proprietors of the share for which the same are substituted or their executors administrators or assigns and all the shares so vested shall be subject and liable to the same trusts powers provisions declarations agreements charges liens and incumbrances as immediately before that day affected the shares for which the same are substituted and every deed or other instrument or any testamentary disposition of or affecting the existing shares shall take effect with reference to the whole or a proportionate part as the case may be of the substituted shares.

(2) The Company shall call in and cancel the certificates of the existing shares and shall issue in lieu thereof new certificates for equivalent amounts as provided by this Act.

(3) The new certificates shall be issued free of charge.

(4) No shareholder shall be entitled to a new certificate or new certificates until he shall have delivered up to the Company to be cancelled the existing certificate for which such new certificate or new certificates are to be substituted or shall have proved to the reasonable satisfaction of the Company the loss or destruction of such certificate and shall have given to the Company

an indemnity against any and every claim in respect of such lost or destroyed certificate or the share or shares represented thereby. A.D. 1926.

66.—(1) The capital of the Company shall be seventy-five thousand pounds consisting of the existing capital of twenty thousand five hundred pounds and additional capital from time to time to be raised by the Company not exceeding in the whole fifty-four thousand five hundred pounds by the creation and issue of new ordinary shares or new preference shares but the Company shall not issue any share of less nominal value than one pound. Capital.

(2) The power of raising capital conferred by section II. (Company may raise a sum not exceeding £22,500) of the Act of 1824 so far as the same has not been exercised and the power of raising further capital conferred by section VI. (Company empowered to raise a further sum if necessary not exceeding £5,000 by subscriptions among themselves or new subscribers) of the Act of 1824 which has not been exercised shall be deemed to be merged in the power of raising additional capital by this section authorised.

67. The Company shall not issue any share created under the authority of this Act nor shall any such 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 is paid in respect thereof. Issue of shares.

68. If any money is payable to a shareholder or mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company. Receipt in case of persons not sui juris.

69.—(1) The Company may issue any portion not exceeding one-half of their capital of seventy-five thousand pounds as preference shares with such rights liabilities privileges and preferences as they think fit Provided that the nominal amount of such preference shares shall not at any time exceed the nominal amount of capital issued as ordinary shares. Preference shares.

(2) The Company may notwithstanding anything in section 13 of the Companies Clauses Act 1863 provide

A.D. 1926. that such preference shares shall be entitled to a cumulative preference dividend not exceeding such rate as the directors at the time of issue may determine and that if the profits of any year are not sufficient to pay such dividend the deficiency shall be made good out of any funds of the Company which may be available for that purpose or out of the profits of any subsequent year.

(3) Such preference shares may from time to time be issued by the Company with such rights of priority and other rights in the distribution of the assets of the Company as the Company may think fit (including the right to repayment of the amount of preference capital at the time issued and paid up and of any arrears or deficiency of dividend thereon in priority to the ordinary share capital) and the Company may provide that when the holders of such preference shares shall have received repayment in full of the amounts paid up by them and of any arrears or deficiency in the dividend which should have been paid to them thereon they shall not in respect of such shares be entitled to any further participation in the assets of the Company.

(4) Subject to the foregoing provisions of this section the provisions of sections 13 and 15 of the Companies Clauses Act 1863 shall be applicable to the issue of such preference shares and to the Company in the same way as they apply to the issue of new preference shares.

As to disposal of shares. **70.** The Company may in issuing any portion of the additional capital by this Act authorised dispose of all or any of the shares representing the same at such times to such persons on such terms and conditions and in such manner as the directors think advantageous to the Company.

Power to borrow. **71.** The Company may borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one-half of the share capital for the time being issued but no part thereof shall be borrowed until the whole of the portion of capital in respect of which the borrowing power is exercised is issued and accepted and one-half thereof is paid up and the Company have proved to the justice who is to certify

under section 40 of the Companies Clauses Consolidation Act 1845 before he so certifies that the whole of such portion of capital has been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such portion of capital was issued bonâ fide and is held by the persons to whom the same was issued or their executors administrators successors or assigns and that such persons their executors administrators successors or 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 shall be sufficient evidence thereof.

A.D. 1926.

72. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than five thousand pounds in the whole.

Appoint-
ment of
receiver.

73. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 as amended by subsequent Acts but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under the Act of 1824 or this Act or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock issued after the date of the passing of this Act.

Debenture
stock
Ranking of
mortgages
and debenture
stock.

74.—(1) If the Company desire to raise by the issue of preference shares any capital which they are

Issue of
redeemable
preference

A.D. 1926.
—
shares or
debenture
stock.

by this Act authorised to raise or to issue any debenture stock under the powers of this Act they may create and issue such preference shares or debenture stock so as to be redeemable on such terms and conditions as may be specified in a resolution of the Company passed at a special meeting convened for the purpose.

(2). If it is so provided in the resolution the Company may—

- (a) call in and pay off such shares or stock or any part thereof at any time before the fixed date of redemption; and
- (b) redeem such shares or stock or any part thereof either by paying off the same or by issuing to any shareholder or stockholder subject to his consent other shares or stock in substitution therefor and may for the purpose of providing money for paying off such shares or stock or of providing substituted shares or stock create and issue new shares or stock (either redeemable or irredeemable) or reissue shares or stock originally created and issued under this section.

Priority of
mortgages
and debenture
stock
over other
debts.

75. All money to be raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company which is entitled to rank in priority to or *pari passu* with the interest on their mortgages or debenture stock nor shall anything in this section contained affect any claim for land taken used or occupied by the Company for the purposes of the undertaking and works or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Company.

76. All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied only to the purposes of this Act to which capital is properly applicable.

A.D. 1926.

—
Application
of moneys.

77. The ordinary meetings of the Company shall be held in the month of May or June in every year or at such other time or times as shall be appointed for that purpose by the directors.

Ordinary
meetings.

78. The number of directors shall be six but the Company may increase the number provided that the number be not at any time more than twelve.

Number of
directors.

79.—(1) The qualification of a director shall be the possession in his own right of not less than one hundred shares.

Qualifica-
tion of
directors.

(2) Notwithstanding anything in the Companies Clauses Consolidation Act 1845 no person shall be disqualified from being a director by reason of his holding any office or place of trust or profit under the Company or by reason of his being interested in any contract with the Company nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or becoming interested in any such contract Provided that in the case of his being or becoming interested in any contract with the Company whether such interest shall arise before or after his appointment as a director the nature of his interest in the contract shall be disclosed by him at the meeting of the directors at which the contract is determined on if his interest then exists or in any other case at the first meeting of the directors after the acquisition of his interest or after his appointment and also in the next annual report of the Company and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Company to give to the directors or any of them any security by way of indemnity.

80.—(1) The quorum of a meeting of directors shall until otherwise determined by the directors be three.

Quorum of
meetings.

A.D. 1926.

(2) The quorum of a general meeting of the Company whether ordinary or extraordinary shall be seven shareholders present in person or by proxy holding together not less than one-twentieth part of the capital of the Company for the time being issued.

Directors.

81. Elizabeth Mary Bayly Godfrey Nix Dickinson Alfred John Meybohm Venning Arthur David Ricardo Inver Lyle Scott and Richard John Moon shall be the directors of the Company and shall continue in office until the next ordinary meeting held after the passing of this Act.

At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them or may elect a new body of directors or directors to supply the places of those not continued in office the directors appointed by this Act being if they continue qualified eligible for election.

At the ordinary meeting to be held in every year after the said ordinary meeting the shareholders present in person or by proxy shall (subject to the power hereinbefore contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845.

The several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are duly elected in their stead.

Continuing directors.

82. The continuing directors may act notwithstanding any vacancy in their body but so that if at any time the number of the directors holding office shall be less than four the directors shall not except for the purpose of filling vacancies and allotting shares to any proposed director or directors act so long as the number is below four.

Notice of candidature for office of director.

83. Except in the case of a director retiring by rotation and offering himself or being proposed for re-election no person shall be capable of being elected a director in place either of a director retiring by rotation or of a director dying refusing to act or ceasing to be qualified or being disqualified to act unless notice in

writing that such person intends to offer himself or will be proposed for the office of director shall have been given to the secretary or left at the office of the Company fourteen days at least before the day of election.

A.D. 1926.

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84.—(1) The directors may appoint one or more of their body to be managing director or managing directors of the Company either for a fixed term or without any limitation as to time and may remove or dismiss him or them from office and appoint another or others in his or their place or places.

Appoint-
ment of
managing
director.

(2) A managing director shall not while holding that office be subject to retirement by rotation and shall not be taken into account in determining the rotation of retirement of directors but if he ceases to hold the office of director from any other cause he shall ipso facto immediately cease to be a managing director.

(3) The remuneration of a managing director shall from time to time be fixed by the directors and may be by way of salary or commission or participation in profits or by any or all of those modes.

(4) The directors may entrust to and confer upon any managing director such of the powers exercisable by the directors and subject to such conditions as they may think fit and may from time to time revoke withdraw alter or vary all or some of such powers.

85. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 notice of all meetings of the Company whether ordinary or extraordinary may (if the directors so determine) be given by letter sent by ordinary letter post to each shareholder instead of by public advertisement Provided that the letters giving the notice shall be directed according to the registered address or other known address of each shareholder prepaid and posted not less than seven clear days before the date of the meeting In proving that any such notice has been given it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office as a prepaid letter not later than the time hereby prescribed.

Notices of
ordinary
meetings.

86.—(1) At all general meetings of the Company every holder of ordinary shares shall be entitled to one vote in respect of every share of the nominal amount of

Defining
right of
voting by
share-
holders.

A.D. 1926. — one pound held by him Provided always that no shareholder shall be entitled to vote at any meeting in respect of any share on which any call remains unpaid.

(2) Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any share to which a preferential dividend shall be assigned.

Appoint-
ment of
proxies.

87. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 the attorney of any shareholder of the Company duly authorised in writing may appoint a proxy to vote for and on behalf of the shareholder and for that purpose may execute on behalf of the shareholder the necessary form of proxy Provided that the instrument appointing the attorney shall be transmitted to the secretary at the same time as the instrument appointing the proxy.

Joint
holders.

88. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 where several persons are jointly entitled to and registered as holders of any share in the capital of the Company any one of those persons may vote at any meeting (at which holders of shares of the same class are entitled to vote) either personally or by proxy in respect of the share as if he were solely entitled thereto but if more than one of the joint holders be present at any meeting personally or by proxy that one of the said persons so present whose name stands first on the register in respect of the share shall alone be entitled to vote in respect thereof Several executors or administrators of a deceased member in whose name any share stands shall for the purposes of this section be deemed joint holders thereof.

Interim
dividend
and annual
accounts.

89. If and so long as the ordinary meeting of the Company shall be held once only in each year—

- (a) It shall be lawful for the directors to declare and pay in any year an interim half-yearly dividend out of the profits of the Company without the sanction or direction of a general meeting;
- (b) The balance sheet and accounts made up by them in accordance with section 116 of the Companies Clauses Consolidation Act 1845 shall relate to the transactions of the Company in the course of the preceding year.

90.—(1) The directors may close the register of transfers for a period not exceeding fourteen days previous to the declaration of any dividend and they may close the register of transfers of mortgages or debenture stock for a period not exceeding fourteen days previous to each date at which the interest thereon shall be payable and in the case of any such register they may fix a day for closing the same of which seven days' notice shall be given either by circular to each proprietor or by advertisement in some newspaper published or circulating in the district within which the principal office of the Company is situate.

A.D. 1926.
—
Closing of
transfer
books.

(2) Any transfer of shares mortgages or debenture stock made during the time when the register of transfers of such security is so closed shall as between the Company and the person claiming under the same but not otherwise be considered as made subsequently to the declaration of any such dividend or the payment of any such interest as the case may be.

91. The Company may in any year out of their profits authorised to be divided amongst the shareholders in respect of such year set apart such sum as they shall think fit and all sums (if any) so set apart by the Company may be invested in such securities as the directors may think fit and the dividends and interest arising from such securities may also be invested in like manner in order that the same may accumulate at compound interest and the fund so formed shall be called the reserve fund and shall be applicable to the payment of dividends in respect of any year in which the clear profits of the Company have been or shall be insufficient to enable the Company to pay a dividend equal to the rate of dividend paid in the previous year.

Reserve
fund may
be created
by Com-
pany.

92. No interest shall be paid out of any share or loan capital which the Company are by this Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Interest
not to be
paid out of
capital.

A.D. 1926.

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Auditors.

93. The prescribed number of auditors of the Company shall be one but the number may be increased to two by a resolution of the Company passed at a general meeting and such auditor or auditors shall be a member or members of the Institute of Chartered Accountants or the Society of Incorporated Accountants and Auditors or an accountant or accountants approved by the Minister of Transport. The auditor or auditors need not hold shares in the Company.

Determina-
tion of
remunera-
tion of sec-
retary and
auditors.

94. In addition to the powers which the directors may exercise under the Companies Clauses Consolidation Act 1845 and the Companies Clauses Act 1863 as amended by subsequent Acts they may determine the remuneration of the secretary and auditors.

Annual
accounts
to be fur-
nished to
Minister of
Transport.

95.—(1) The Company shall keep separate accounts in respect of so much of the undertaking as relates to the bridge and the ferry respectively in such form as may be approved by the Minister of Transport and shall furnish to the Minister a copy of their annual accounts within a period of two months after the date to which the same are made up or such longer period as the Minister may allow.

(2) The Company shall as from the expiration of such period be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect so to furnish to the Minister a copy of their annual accounts.

Power to
lease under-
taking or
tolls.

96.—(1) The Company may with the previous consent in writing of and upon and subject to such terms conditions and restrictions and for such period as may be sanctioned by the Minister of Transport lease to any company corporation or person (a) the undertaking or any part thereof or (b) the tolls and other charges authorised by this Act to be taken.

(2) As from the date of any lease made under subsection (1) of this section the lessee during the continuance of and to the extent provided in the lease shall have and may exercise all or any of the powers conferred upon the Company by this Act which the Company have or might exercise under this Act in relation to the subject matter of the lease and shall be subject to all the liabilities and obligations to which the

Company are subject and shall perform all the duties of the Company under this Act in relation to the subject matter of the lease. A.D. 1926.

(3) No lease made under subsection (1) of this section shall be assignable without the previous consent in writing of the Minister of Transport.

(4) The Company shall within one month after the date of any lease made under this section deposit a certified copy thereof with the Minister of Transport and shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this subsection.

(5) No lease made under this section shall be made in consideration or part consideration of any fine premium or other capital sum.

(6) Nothing in this section shall exempt the Company from their obligation to keep and render accounts and as from the date of any lease made under this section all the provisions of this Act as to the keeping and delivery of accounts shall apply to and be binding upon as well the lessee as the Company and all moneys received by the Company under or in respect of any such lease shall be deemed to be moneys levied by virtue of and income received under this Act.

PART VII.

MISCELLANEOUS.

97. The Company may purchase or take on lease and may hold houses and other buildings for persons in their employment and offices and other buildings for the purposes of the undertaking and may erect fit up maintain and let any such buildings upon any lands for the time being belonging or leased to the Company. Dwelling-houses for employces offices &c.

98. It shall be lawful for the Company to make superannuation and other allowances and to pay or contribute towards pensions or gratuities to any officers servants or employees of the Company and for that purpose to apply the funds and revenues of the Company. Power to make superannuation and other allowances.

A.D. 1926.

—
Power to directors to make donations subscriptions &c.

99. The directors may subscribe or make donations to infirmaries and hospitals and convalescent homes and other similar institutions and objects or to industrial exhibitions or to the benevolent or sick funds of the officers servants and employees of the Company and may for any of these purposes apply the funds and revenues of the Company.

Arbitration.

100. Where under this Act any matter is to be referred to an arbitrator or arbitration (other than matters to which the provisions of the Lands Clauses Acts apply) the reference shall (save so far as may be otherwise expressly provided by this Act) be to an arbitrator to be agreed upon between the parties or failing such agreement appointed by the Minister of Transport and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference.

Works below high-water mark to be subject to approval of Board of Trade.

101.—(1) Subject to the provisions of this Act any work authorised by this Act shall only be constructed so far as the same shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides in accordance with plans and sections approved by the Board of Trade under the hand of one of the secretaries or assistant secretaries of the Board of Trade and subject to such restrictions and regulations as that Board may prescribe before such work is begun.

(2) Any alteration or extension of any such work shall be subject to the like approval.

(3) If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost of the Company and the amount of such cost shall be a debt due from the Company to the Crown and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt.

Survey of works by Board of Trade.

102. If at any time the Board of Trade deem it expedient for the purposes of this Act to order a survey and examination of any work constructed by the Company under the powers of this Act which shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides or of the site on which it is proposed to construct any such work the Company shall

defray the expense of the survey and examination and the amount thereof shall be a debt due from the Company to the Crown and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt. A.D. 1926.

103.—(1) Where any work constructed by the Company under the powers of this Act and situate wholly or partially on under or over the shore or bed of the sea or of any creek bay arm of the sea or navigable river communicating therewith below high-water mark of ordinary spring tides is abandoned or suffered to fall into decay the Board of Trade may by notice in writing require the Company at their own expense either to repair and restore such part of such work as is situate below high-water mark of ordinary spring tides or any portion thereof or require them to abate or remove the same and restore the site thereof to its former condition to such an extent and within such limits as the Board of Trade may think proper. Abatement of work abandoned or decayed.

(2) Where any part of such work which has been abandoned or suffered to fall into decay is situate above the high-water mark of ordinary spring tides and is in such condition as to interfere or to cause reasonable apprehension that the same may interfere with the right of navigation or other public rights over the foreshore the Board of Trade may include any such part of such work or any portion thereof in any notice under this section.

(3) If during the period of thirty days from the date when the notice is served upon the Company they have failed to comply with such notice the Board of Trade may execute the works required to be done by the notice at the expense of the Company and the amount of such expense shall be a debt due from the Company to the Crown and shall be recoverable either as a debt due to the Crown or summarily as a civil debt.

104.—(1) In case of injury to or destruction or decay of the works by this Act authorised or any part thereof so far as the same shall be constructed on under or over any tidal waters or tidal lands below high-water mark of ordinary spring tides the Company shall lay down such buoys exhibit such lights or take such other Provision against danger to navigation.

A.D. 1926. means for preventing so far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that corporation for directions as to the means to be taken.

(2) If the Company fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding ten pounds and in the case of a continuing offence to an additional penalty not exceeding one pound for every day during which they omit after conviction thereof so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Lights on works during construction.

105.—(1) The Company shall at or near such part of the works by this Act authorised as shall be below high-water mark of ordinary spring tides during the whole time of the construction alteration or extension of the same exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade shall from time to time require or approve.

(2) If the Company fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

Permanent lights on works.

106.—(1) The Company shall exhibit on the works authorised by this Act and keep burning from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House Deptford Strond shall from time to time direct.

(2) If the Company fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

Recovery of penalties &c.

107. Save as otherwise by this Act expressly provided all offences against this Act or the unrepealed provisions of the Act of 1824 and all penalties forfeitures.

costs and expenses imposed or recoverable under the said Acts or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner. Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts. A.D. 1926.

108. Proceedings for the recovery of any demand made under the authority of this Act or the unrepealed provisions of the Act of 1824 or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action. Recovery of demands.

109. In respect of the exercise of any powers or duties conferred on the Minister of Transport under this Act the provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board." Inquiries &c. by Minister of Transport.

110. Except as hereinafter expressly provided nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose. Crown rights.

111. Notwithstanding the provisions contained in the section of this Act of which the marginal note is "Crown rights" or in any public statute His Majesty and His lessees for their respective interests may work any minerals belonging to His Majesty in right of His Crown minerals.

A.D. 1926. — Crown under or adjacent to lands and works of the Company authorised to be taken or constructed by this Act but in the event of any such right being at any time intended to be exercised sections 77 to 85 (both inclusive) of the Railways Clauses Consolidation Act 1845 as amended by the Mines (Working Facilities and Support) Act 1923 and the First Second and Third Schedules to such last mentioned Act shall apply as if the same were in relation to such minerals incorporated in this Act and as if the Company were a railway company and the said lands and works were the railway and works of such railway company and as if the Commissioners of Crown Lands were the mine owners or royalty owners as the case may be and so that any compensation payable by the Company to or for the benefit of His Majesty as the mine owner or royalty owner or payable to the Company by His Majesty as such owner shall be payable to or by the Commissioners of Crown Lands as the case may be.

Saving for
Teignmouth
Harbour
Commis-
sioners.

112. Except as is by this Act expressly provided nothing therein contained shall take away lessen alter or prejudice any of the rights interests powers or privileges of the commissioners relating to the navigation of the river.

Costs of Act.

113. 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.

The SCHEDULES referred to in the
foregoing Act.

A.D. 1926.

FIRST SCHEDULE.

PROVISIONS OF THE ACT OF 1824 SAVED FROM REPEAL.

WHEREAS it would be of Advantage to the Inhabitants of Teignmouth in the County of Devon, and to the Public, if a Bridge were erected across the River Teign near Teignmouth aforesaid, to the opposite Shore in the Parish of Saint Nicholas in the said County of Devon, and if convenient Approaches were made to communicate therewith; and as the same 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 King'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, That Sir Henry Carew Baronet, Stephen Oakley Attlay, Sir William Elford Baronet, John Tingcombe, and John Were Clarke, Joseph Dommett Clerk, John Strachan, William Cartwright, Nicholas Wilking, Thomas Bennett, John Wight, William Codner, William Langmead, Robert Jordon, William Scott, Elias Hore, Joseph Whiteway, George Smith, Samuel Sharam, Nicholas Adams Bartlett, Lucas M.D., John Butler, John Sillifant junior, John Strachan junior, John Litton, Thomas Gasking, T Prideaux, John Parker, Roger Hopkins, Thomas Hopkins, Rice Hopkins, John Croydon, William Skinner, William Rendell, Edward Palk, Jacob Bartlett, Richard Brine, William Tayleure M.D., Thomas Bartlett, Benjamin Gregory, Robert Keays, Richard Stone, Joseph Stockford, Edward West junior, Jonathan Bowden, Thomas Bartlett, James Nichells, Samuel Walker, Richard Shimmell, Thomas Bulley, John Rendell, Samuel Codner, William Richards D.D., J. B. Bartlett, William Wing Mitchell, Robert Murch, Thomas Holmes, Thomas Wills, James Stevens, Thomas Owens, William Boden, William Mortimer, Robert Boden, George Fortescue, George Windeat, William Stracey Clerk, Daniel Woodley, Thomas Wilson France, George Whitehead, Stanislaus De Niceville, John Cockram, Josiah Lee, Jane Lee, John Strachan, J. N. Salt, Robert Davey, Charles Hubbard, Nicholas Howard, Mary Francis, Daniel Codner, Edmund Lockyer, John Cave, Mary Hayman, Samuel Langley, Gilbert Stephens, Charles Tozer, David Davis, John Veale, Vevers Robinson, Thomas Fox, Sarah Hobbs, John Johnson, John Johnson junior, William Ash, William Bayley, Richard Nott, Joseph Egerton, James Nathaniel Peloquin

A.D. 1926. — Cosserat, Lawrence Gwynne LL.D., and all and every such other Person or Persons as shall at any Time hereafter be a Proprietor or Proprietors of One or more Share or Shares in the said Undertaking as hereinafter is mentioned, their respective Successors, Executors, Administrators, and Assigns, shall be and are hereby united in a Company, for the erecting, completing, and maintaining the said Bridge, and making Ways and Passages communicating therewith, under the Regulations hereinafter expressed, and shall be one Body Corporate, by the Name and Style of "The Teignmouth and Shaldon Bridge Company," and by that Name shall have perpetual Succession, and shall have a Common Seal, and by that Name shall and may sue and be sued, and also shall and may have Power and Authority to purchase Lands and other Hereditaments, to them, their Successors and Assigns, for making, erecting, and completing the said Bridge and Ways, and for the other Purposes herein mentioned, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Power to the Company to build the Bridge and make Approaches.

LI. And be it further enacted, That it shall be lawful for the said Company, and their Successors, and the said Committee of Management, their Agents, Servants, Workmen, and Assistants, and they are hereby authorized to design and cause to be built, and complete, maintain, and keep in repair a Bridge from the Shore at or near the Western Side of the Pleasure Ground belonging to the House of William Mackworth Praed Serjeant at Law, near Teignmouth, over and across the said River Teign to the opposite Shore at or near the Village of Shaldon aforesaid, with convenient Approaches to the said Bridge at each End thereof, of such Form, Construction, and Dimensions, and of such Materials as the said Company or their Committee of Management shall think proper, and for the Purposes aforesaid to dig and make proper Foundations in the said River, and on the Lands on each Side thereof, and make Dams in the said River, and cut and level the Banks thereof, and cut, remove, take, and carry away all Beds of Gravel, Sand, Mud, or any other Impediment whatsoever, and do and execute all other Things necessary or convenient for building, maintaining and repairing the said Bridge and making proper Approaches thereto as aforesaid.

Power to the Company to make Approaches from Teignmouth Roads.

LIV. And be it further enacted, That it shall be lawful for the said Company or their Committee of Management to make or cause to be made a proper and commodious Approach to the North End of the said Bridge from the Road now leading from Teignmouth to Bishop's Teignton, and for the Purpose of making such Approach it shall be lawful for the said Company or their Committee of Management, and their Agents and Workmen, to enter upon the Land or Ground described in the Schedule to this Act annexed, over which the said intended Approach is to pass, and to set out such Parts thereof as they shall think proper for the said

A.D. 1926.

Approach, and also to lower the Ground of the said Road leading from Teignmouth to Bishop's Teignton, in the most commodious Manner to communicate with the said Approach; and the said Approach shall be made and at all Times afterwards maintained at the proper Costs and Charges of the said Company, by and out of the Tolls granted by this Act: Provided always, that nothing herein contained shall authorize the said Company to make the said Approach without the Consent of the Owners of the Lands through which the same Approach shall be made being first had and obtained.

LXXVIII. And be it further enacted, That the said Company or their Committee of Management shall and may as soon as conveniently may be after a Passage shall be made over the said intended Bridge, cause to be erected and set up a Turnpike Gate or Gates, or Toll Gate or Gates, at or upon the said Bridge, or at or upon some or One of the said Avenues leading thereto, belonging to the said Company, at either End of the said Bridge; and from Time to Time shall and may remove the same Turnpike or Toll Gate, or Turnpikes or Toll Gates, and erect and set up another Turnpike or Toll Gate, or other Turnpikes or Toll Gates in lieu thereof, at any Place upon any Part of the said Works; and shall and may from Time to Time erect, provide and maintain such Toll House or Toll Houses, and other Conveniences, near or adjoining to the said Turnpike or Toll Gate, as the said Company or the Majority of them, or their Committee of Management for the Time being shall think proper;

Power to erect Turnpikes, and take Tolls.

XCII. And be it further enacted, That after the said Bridge shall have been completed the same shall be a public Bridge, and all Persons with or without Horses, Cattle, and Carriages shall have free Liberty (upon Payment of the Tolls by this Act granted) to pass over the same without any Interruption whatsoever; and that the Whole of the said Bridge shall be deemed to form Part of the Parish of West Teignmouth.

Bridge to be public upon Payment of Tolls.

XCIII. And be it further enacted, That the said Bridge shall not be adjudged to be a County Bridge, or to subject the said County of Devon to the repairing of the same.

Bridge not to be deemed a County Bridge.

XCIV. And be it further enacted, That in case any Damage or Mischief shall be done to the Bridge, or any of the said Works, by any Ship, Lighter, Barge, Boat, Float, Raft, or other Vessel, through the Mismanagement or Negligence of any Person having Command of any such Ship, Lighter, Barge, Boat, Float, Raft, or other Vessel, or any of the Mariners or Persons employed therein, then and in every such Case the Owner or Owners of such Ship, Lighter, Barge, Boat, Float, Raft, or other Vessel shall be and is hereby made answerable to the said Company or their Committee of Management, for the Amount or Value of any such Damage or

Owners of Vessels liable for Damage.

A.D. 1926. — Mischief, and the same, provided it shall not exceed the Sum of Twenty Pounds, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are in and by this Act directed to be recovered.

Penalty for conveying Persons over the River within a certain Distance, otherwise than over the Bridge.

XCVI. And be it further enacted, That after the said Bridge shall be completed, if any Person shall in any Way or in any Manner, for Hire, Recompence, or Gain, convey any Person Horse, Beast, or other Cattle, or any Coach, Chaise, Waggon, Cart or other Carriage whatsoever, or any Timber, Stones, Bricks, Lime, Manure, or any Article or Thing whatsoever, across the said River Teign, within the Limits of the present Ferry, otherwise than over the said Bridge, or shall be in anywise aiding or assisting therein, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings.

For preventing all Nuisances on the Bridge and Approaches.

XCIX. And be it further enacted, That . . . if any Persons, having the Care of any Float, Raft, Boat, Barge, or other Vessel which shall be navigated in and upon the said River Teign, or any other Person or Persons, shall pass a Line over the said Bridge to the Annoyance or Hindrance of Passengers, Carriages, or Cattle going over the same; . . . or if any Person, driving any Horse or other Beast on the said Bridge and Approaches carrying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, shall place such Iron Bar or Rod, Basket or Pannier, Matter or Thing, so that the same or any of them shall project more than Thirty Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast, or Carriage travelling along the said Bridge and Approaches; . . . or if any Person or Persons shall pull down, damage, injure, or destroy any Lamp or Lamp Post erected or placed in or near the Side of the said Bridge and Approaches, or Toll House or Toll Houses erected thereon, or shall extinguish the Light of any such Lamp; every Person offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings, over and above the Damages occasioned thereby.

Power to remove Annoyances.

C. And be it further enacted, That it shall be lawful for the said Company, or the said Committee of Management for the Time being, or for their Surveyor or Surveyors, or for such Person or Persons as the said Company or Committee, or their Surveyor or Surveyors, or any of them, shall appoint for that Purpose, to remove and prevent all Annoyances on any Part of the said Bridge and Approaches, by Filth, Dung, Ashes, Rubbish, or otherwise, and to turn any Watercourse, Sinks, or Drains running into, along, or out of the said Approaches, to the Prejudice thereof, and to open, scour, and cleanse any Watercourses or Ditches adjoining to the said Approaches, and make the same as

deep and as large as he or they shall think proper and necessary, and to cut down, lop, or top any Bushes growing adjoining to the said Approaches, so that the Fences be not injured thereby, and to take and carry away the same in case the Owners or Occupiers of the Premises shall neglect to remove the same, or to open, scour, or cleanse such Watercourses or Ditches, or remove such other Annoyances, for the Space of Two Days next after Notice in Writing given for that Purpose by the said Company, or the said Committee of Management, or their Clerk or Clerks, Surveyor or Surveyors for the Time being, the Charges thereof (to be settled by any Two Justices of the Peace for the said County of Devon, and which Charges the said Justices are hereby authorized and required to settle accordingly) shall be reimbursed to the said Company by such Owners or Occupiers, the same to be recovered in such Manner as Penalties and Forfeitures are hereafter directed to be recovered; and if after the Removal of any of the said Annoyances, any Person shall again offend in the like Kind, every Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

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CXVI. Provided always, and be it further enacted, That no Part of the said Bridge, nor of any Approach thereto, nor of any Toll House, Toll Gate, or other Building of any Description whatever, nor any Chain or Bar, shall be erected, made, or placed in or upon any Part of the Lands or Grounds of William Mackworth Praed Serjeant at Law, situate in the Parish of West Teignmouth or within a Distance of Thirty Feet from any Part of the same Lands or Grounds, without the Consent in Writing of the said William Mackworth Praed, or the Owner or Owners of the same Lands and Grounds for the Time being.

Saving to Mr. Serjeant Praed.

SCHEDULE TO WHICH THIS ACT REFERS.

No.	Description.	Owners or reputed Owners.	Occupiers.
1	Ferry from Shaldon to Teignmouth.	The Right Honourable Lord Clifford.	Carlisle.
2	A small Strip of woody Ground between the Road from Bishop's Teignton to Teignmouth and the Cliff.	} Mrs. Temple. } Mr. Serjeant Praed. } Mrs. Temple.	Mrs. Temple.
3	A small Part of a Meadow adjoining the Bishop's Teignton Road.		Mr. Serjeant Praed.
4	A small Part of a Field adjoining the Bishop's Teignton Road.		Mrs. Temple.

A.D. 1926.

SECOND SCHEDULE.

BRIDGE TOLLS.

For each crossing.

PART I.

Horse drawn vehicles—

	<i>s.</i>	<i>d.</i>
For every vehicle (other than a charabanc or omnibus) drawn by one horse - - - - -	1	0
„ vehicle (other than a charabanc or omnibus) drawn by two horses - - - - -	1	0
„ vehicle (other than a charabanc or omnibus) drawn by three or more horses - - - - -	1	6
„ charabanc - - - - -	1	6
„ omnibus - - - - -	1	6
„ vehicle drawn by any of the above-named vehicles - - - - -	1	0

PART II.

Motor vehicles (that is to say vehicles propelled by internal combustion engines or self-contained electric power)—

	<i>s.</i>	<i>d.</i>
For every bicycle - - - - -	0	3
„ bicycle and side-car - - - - -	0	6
„ car having not more than 3 wheels - - - - -	1	0
„ car having 4 wheels - - - - -	1	3
„ car having more than 4 wheels - - - - -	2	0
„ charabanc or omnibus having seating accommodation for not exceeding 14 passengers - - - - -	2	0
„ charabanc or omnibus having seating accommodation for passengers exceeding 14 but not exceeding 32 - - - - -	3	0
„ charabanc or omnibus having seating accommodation for passengers exceeding 32 - - - - -	5	0
„ vehicle having not more than 4 wheels drawn by any of the above-named vehicles - - - - -	1	3
„ vehicle having more than 4 wheels drawn by any of the above-named vehicles - - - - -	2	0

PART III.

A.D. 1926.

Steam propelled vehicles and vehicles propelled by mechanical means other than those mentioned in Part II. of this Schedule.

	<i>s.</i>	<i>d.</i>
For every lorry or waggon not having more than 4 wheels - - - - -	3	0
„ roller not having more than 4 wheels - - - - -	5	0
„ tractor engine or traction engine not having more than 4 wheels - - - - -	5	0
„ vehicle not having more than 4 wheels drawn by any of the above-named vehicles - - - - -	2	6
„ vehicle having more than 4 wheels (in addition to and not in substitution for the before-mentioned toll in respect of the first 4 wheels) - - - - -	2	0

PART IV.

Animals—

	<i>s.</i>	<i>d.</i>
For each calf sheep pig or goat - - - - -	0	1
„ head of cattle - - - - -	0	2
„ horse mule or donkey - - - - -	0	3

PART V.

Pedestrians passengers &c.—

	<i>s.</i>	<i>d.</i>
For each person - - - - -	0	1
„ bicycle (including rider) - - - - -	0	2
„ perambulator mail-cart go-cart or bath chair	0	2
„ hand cart truck or barrow - - - - -	0	3
„ street organ - - - - -	0	3

PART VI.

For any vehicle or animal not hereinbefore specified a toll not exceeding the tolls specified in this Schedule or a vehicle or animal of a similar description.

PART VII.

Between 12 midnight and 5 a.m. all tolls to be increased by 50 per cent.

The tolls in respect of all vehicles in Parts I. II. and III. of this Schedule include the drivers thereof and the persons conveyed

[Ch. lxxi.]

Teignmouth and [16 & 17 GEO. 5.]
Shaldon Bridge Act, 1926.

A.D. 1926. thereon and as regards the vehicles in Part I. of this Schedule include the animals by which they are drawn.

The tolls for vehicles in Part V. of this Schedule include the person in charge thereof.

THIRD SCHEDULE.

FERRY TOLLS.

For each crossing.

For each person	-	-	-	-	-	-	-	-	<i>d.</i>
For each dog	-	-	-	-	-	-	-	-	1½
									1

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