

ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

Cap. ccclv.

An Act for amending the Acts relating to the Taw Vale Railway and Dock, and for making an Extension therefrom to the Exeter and Crediton Railway in the County of Devon.

[7th August 1846.]

of Her present Majesty Queen Victoria, intituled An Act 1 & 2 Vict. for making a Railway from Penhill in the Parish of Fre- c. 27. mington in the County of Devon to the Town of Barnstaple, and for constructing a Dock in the said Parish of Fremington, to be called "The Taw Vale Railway and Dock:" And whereas another Act was passed in the last Session of Parliament, intituled An Act to amend 8 & 9 Vict. the Act relating to the Taw Vale Railway and Dock: And whereas c. 107. the several Works by the said firstly-recited Act authorized are in the course of Construction: And whereas the making of a Railway from the said Taw Vale Railway in the Parish of Tawstock in the County of Devon to the Town of Crediton in the said County, there to form a Junction with the Exeter and Crediton Railway now in course of Construction to the City of Exeter, would be of great public Advantage: And whereas the Company incorporated by the said firstlyrecited Act, together with others, are willing to carry the said [Local.] 71 RUndertaking

8 & 9 Vict. cc. 18. and 20. incorporated with this Act.

Undertaking into execution: And whereas it is expedient that some of the Powers and Provisions of the said Acts should be amended and enlarged; but the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Lands Clauses Consolidation Act, 1845, and so much of the Railway Clauses Consolidation Act, 1845, as relates to the Construction of Railways, the temporary Use of Lands during the Construction of Railways, to the taking of Lands for additional Stations, to the Mode of crossing of Roads and Construction of Bridges, to the Construction of Arches, Culverts, and Works for the Protection and Accommodation of Lands adjoining the Railways, and to the working of Mines under or near to Railways, shall respectively, except so far as the same may be by this Act otherwise provided for, and except such of the Provisions thereof as may be inconsistent with the Provisions herein contained, be incorporated with and form Part of this Act.

Powers of recited Acts extended to this Act.

II. And be it enacted, That all the Provisions, Matters, and Things contained in the said recited Acts relating to the Taw Vale Railway and Dock, so far as the same are now unrepealed, and except such as have expired by Effluxion of Time, or are inapplicable to this Act, or inconsistent with or provided for by the said Lands Clauses Consolidation Act, or with or by such of the Clauses and Provisions of the said Railway Clauses Consolidation Act as are made applicable to this Act, shall extend to this Act and to the several Purposes and Things hereby authorized as fully and effectually as if the same Provisions, Matters, and Things were re-enacted in this Act with reference to the Objects and Purposes hereof.

Power to construct new Lines of Railway.

III. And be it enacted, That it shall be lawful for the Company to make and maintain the Extension Railway herein-after mentioned; (that it to say,) a Railway from and out of the said Taw Vale Railway, commencing in the Parish of Tawstock, passing thence in or through the several Parishes or Places of Tawstock, Bishop's Tawton, Atherington, High Bickington, Warkleigh, Burrington, Chittlehampton, Rings Ash otherwise Ashreigny, Chulmleigh, Wembworthy, Eggesford, Chawleigh, Coldridge, Nymet, Lowland, Lapford, Morchard, Bishop Down, Saint Mary, Sanford, Colebrooke, and Crediton, and terminating at or near the Town of Crediton by a Junction with the Exeter and Crediton Railway now in course of Construction.

Railway to be made according to deposited Plans, &c.

IV. And whereas Plans and Sections of the Railway showing the Lines and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands through which the same are intended to pass, have been deposited with the Clerk of the Peace for the County of *Devon*; be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the Company to make and maintain the Railway and Works in the Line and upon the Lands delineated on the said Plans and described

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in the said Books of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

V. And whereas it is proposed in the first instance to lay down a The Board single Line of Rails on the said Extension, but it is the Intention of of Trademay the Company to purchase Land, and to construct the Tunnels and compel the Bridges of Dimensions sufficient to admit because of Javing down Bridges of Dimensions sufficient to admit hereafter of a double Line of of additional Rails being laid down throughout the whole Line of Railway; be it Line of Rails. therefore enacted, That if at any Time after Twelve Months from the opening of the Railway to the Public it shall appear to the Lords of Her Majesty's Committee of Council for Trade and Foreign Plantations that an additional Line of Rails is required for the proper Accommodation of the Public using the Railway, then and in such Cases the Company shall and they are hereby required, upon receiving an Order in Writing to that Effect from the Lords of the said Committee, to lay down such additional Line of Rails, and to execute all other necessary Works for effecting such Purpose within such reasonable Time as shall be fixed by the Lords of the said Committee, having reference to the Extent of the Works to be executed under such Order; and if such Order shall be made, and the Works thereby required to be done shall not be executed within the Time specified in such Order, it shall not be lawful for the Company to take any Toll or Fare for the Use of the said Railway until the Works required to be made by such Order shall have been completed.

VI. And be it enacted, That the Gauge on which the said Line of Gauge of Railway shall be laid down shall be such as the Board of Trade shall Railway. in its Discretion approve.

VII. Provided always, and be it enacted, That the centre Line of Centre Line Railway shall, in lieu of being carried as laid down in the deposited Plans on the Western Side of certain Cottages belonging to or claimed to belong to Robert Madge, in the Occupation of George Milford, John Taylor, and John Howard, and numbered respectively 67, 68, and 69, in the said Parish of Colebrooke, in the said deposited Plans and Books of Reference, be deviated and carried on the Eastern Side of the said Cottages; and the Centre of the said Line of Railway, when made, shall be Eighty Feet at least from the Cottage numbered 69 as aforesaid; and the Company shall build and erect for the Use of the said Robert Madge Two convenient and suitable Bridges to connect the Lands of the said Robert Madge on the Eastern Side of the said Railway with the Lands of the said Robert Madge on the Western Side thereof, with proper Carriage Approaches thereto, such Bridges to be erected at the same Places where the said Robert Madge now crosses the said Lands numbered in the deposited Plans and Books of Reference as follows; (that is to say,) one of such Bridges in the Fields Number 82 in the Parish of Colebrooke, and Number 259 in the Parish of Crediton, or in one of them, and the other in the Fields Numbers 254 and 255, in the said Parish of Crediton, or one of them, or at such other Places as shall be agreed upon by the Company and the said Robert Madge.

to be carried on the Eastern Side of certain. Cottages belong-ing to Robert Madge, Esq.

VIII. And be it enacted, That the Junction with the Exeter and Junction to Crediton Railway hereby authorized to be made, and all such Openings be made under the

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Superintendence of the Engineer of the Exeter and Crediton Railway Company.

in the Ledges or Flanches of the Exeter and Crediton Railway as may be necessary or convenient for effecting such Junction, shall be made and effected under the Direction and Superintendence of the Engineer of the Exeter and Crediton Railway Company, or other Person authorized by them for that Purpose, at the Expence of the said Taw Vale Railway Extension Company.

Not to take Lands belonging to Exeter and Crediton Railway Company without Consent.

IX. And be it enacted, That nothing in this Act contained shall extend to authorize the said Taw Vale Railway Extension Company in making and constructing or maintaining the Railway hereby authorized to take or enter upon any of the Lands belonging to the Exeter and Crediton Railway Company, or to alter, vary, or interfere with the Exeter and Crediton Railway, or any of the Works thereof, without the Consent in Writing of the Exeter and Crediton Railway Company in every Instance for that Purpose first had and obtained.

Saving the Rights of the Exeter and Crediton Railway Company.

X. Provided always, and be it enacted, That nothing in this Act contained, or the said recited Act, shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the Exeter and Crediton Railway Company in and by the Act relating to such Railway, but saving and reserving to the said Exeter and Crediton Railway Company all the Rights, Privileges, and Franchises, and also saving all such Powers, Authorities, and Provisions, in such Act contained, as if this Act had not been passed.

traordinary Purposes.

Land for ex- XI. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Forty Acres.

Compulsory Purchase of Lands limited for

XII. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of Three Years. this Act.

Period for Completion of Works.

XIII. And be it enacted, That the Railway shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers of this and the recited Acts granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Same Tolls to be taken asauthorized by 1 & 2 Vict. c. 27.

XIV. And be it enacted, That it shall be lawful for the Company to demand and receive for and in respect of the Use of the Railway hereby authorized to be constructed the same Tolls and Charges as they are authorized to demand by the said firstly-recited Act.

Maximum Tolls.

XV. Provided always, and be it enacted, That the Provisions in the secondly-recited Act relating to the maximum Rate of Charges shall apply to the Railway hereby authorized to be constructed, and the Company shall not take higher Charges than such maximum Charges.

Passengers Luggage.

XVI. And be it enacted, That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight and Six Cubic Feet in Dimension

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for First-class Passengers, Sixty Pounds in Weight and Five Cubic Feet in Dimension for Second-class Passengers, and Forty Pounds in Weight and Four Cubic Feet in Dimensions for Third-class Passengers, without any Charge being made for the Carriage of such Luggage: Provided always, that it shall be lawful for the Company to demand and receive a reasonable Sum for any Excess, either in Weight or Bulk, over and above such respective Weights and Bulks.

XVII. And whereas the estimated Expence of making the Railway Power to is Five hundred and fifteen thousand Pounds; be it enacted, That it raise addishall be lawful for the Company to raise by creating new Shares, in tional Money addition to the Sums of Money which they are authorized to raise of new under or by virtue of the said firstly-recited Act, any further Sum of Shares. Money not exceeding in the whole the Sum of Five hundred and thirty-three thousand Pounds.

XVIII. And be it enacted, That the Capital so to be raised by New Shares the Creation of new Shares shall be divided into Shares of Twenty to be con-Pounds each, and all Persons who have subscribed or shall hereafter same as subscribe towards such additional Capital shall be deemed Shareholders original in the said Company; and such additional Capital shall be considered Shares. as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital, except as to the Amount of such Shares, and the Times of making Calls thereon, and the Amounts of such Calls, which respectively it shall be lawful for the Directors of the Company from Time to Time to fix as they shall think fit.

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XIX. And be it enacted, That if by means of any such Execution Reimburseany Shareholder shall have paid any Sum of Money beyond the ment. Amount then due from him in respect of Calls, he shall forthwith be reimbursed such additional Sum by the Directors out of the Funds of the Company.

XX. And whereas the Value of the present Works and Land of the Existing Taw Vale Railway and Dock Company is estimated at the Sum of Capital to be Fifteen thousand Pounds, and the present Capital of such Company is divided. divided into Shares of Fifty Pounds each, and it is expedient that the Proprietors of Shares in such present Capital should receive Shares of the Value of Twenty Pounds each in lieu of the Shares of Fifty Pounds each; be it enacted, That the existing Capital of the Taw Vale Railway and Dock Company shall be considered Fifteen thousand Pounds, and the same shall be divided into Seven hundred and fifty Shares of Twenty Pounds each, and such Shares shall be apportioned between the several Proprietors of Shares in the present Capital of the Company according to their respective Interests therein, and the same shall be considered as Shares of which the whole Amount shall have been paid up, and shall entitle the Proprietors thereof to all the Rights and Privileges as to voting or otherwise which by this Act are conferred on the Proprietors of new Shares hereby authorized to be created.

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Power to borrow on Mortgage.

XXI. And be it enacted, That after the whole of the Capital by this and the recited Acts authorized to be created shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any General or Special General Meeting of the Company, not exceeding in the whole, and including the Sum which they are by the said firstly-recited Act authorized to borrow, One Third of the Capital of the Company; and for securing the Repayment of the Sums so respectively from Time to Time borrowed, with Interest, to mortgage the said Undertaking as by the said first-recited Act authorized, and also, if they think fit, the whole or any of the future Calls on the Shareholders of the Company.

Reborrowing.

XXII. And be it enacted, That if, after having borrowed any Part of the Money so authorized to be borrowed on Mortgage, the Company pay off the same, it shall be lawful for the Company again to borrow the Sum so paid, or any Part or Parts thereof, and so again from Time to Time, but such Power of reborrowing shall not be exercised without the Authority of a General or Special General Meeting of the Company, unless the Money be so reborrowed in order to pay off any existing Mortgage.

Mortgages, &c. to be stamped.

XXIII. And be it enacted, That every Mortgage to be granted or made by virtue of the firstly-recited Act or this Act shall be by Deed, under the Common Seal of the Company, duly stamped, and wherein the Consideration shall be truly stated.

Rights of

XXIV. And be it enacted, That the respective Mortgagees shall Mortgagees. be entitled one with another to their respective Proportions of the Tolls, Sums, Premises, and future Calls (if any) on which the same may be secured according to the Sums advanced by such Mortgagees respectively, and to be repaid the Sums so advanced, with Interest, without any Preference one above another by reason of Priority of the Date of such Mortgage, or of the Meeting at which the same was authorized.

Application Mortgage.

XXV. And be it enacted, That no Mortgage comprising future of Calls not- Calls on the Shareholders shall, unless expressly so provided, preclude withstanding the Company from receiving and applying to the Purposes of the Undertaking any Calls to be made by the Company.

Priority of Mortgages under former Act.

XXVI. And be it enacted, That all Mortgages already entered into under the Powers of the said firstly-recited Act shall have Priority over every Mortgage granted under the Authority of this

Transfer of Mortgages to be by Deed duly stamped.

XXVII. And be it enacted, That from Time to Time any Party entitled to any Mortgage granted under the Powers of the said recited Acts and this Act may transfer his Right and Interest therein to any other Person; and every such Transfer shall be by Deed duly stamped, wherein the Consideration shall be truly stated.

XXVIII. And

XXVIII. And be it enacted, That the Interest on any Mortgage Transfers of shall not be transferable except by Deed duly stamped.

Interest to be stamped.

XXIX. And be it enacted, That it shall be lawful for the Company, Power to if they think fit, to raise the Sums authorized to be borrowed on Mortgage by the said firstly-recited Act and by this Act, or any Part thereof, by creating new Shares of the Company, instead of borrowing the same, or, having borrowed the same or any Part of the same, it shall be lawful for them to continue at Interest only a Part of the Sums so borrowed if they so think fit, and to raise the Remainder thereof, or any Part of the Remainder, by creating new Shares of the Company; and all the Provisions herein-before contained with regard to the additional Capital by this Act authorized to be raised shall apply in like Manner to the new Shares which may be created in lieu of or to pay off any Money which the Company are authorized to borrow, or may have borrowed under the Provisions of this or the said firstly-recited Act; but no such Augmentation of Capital at last hereinbefore authorized shall take place without the previous Authority of a General Meeting of the Company called for the Purpose.

convert Loan into Capital.

XXX. And be it enacted, That it shall be lawful for the Company Power to from Time to Time, with the Consent of Three Fifths of the Votes of consolidate the Proprietors present, in Person or by Proxy, at any Special General Shares into Meeting of the Company to convert or consolidate all and D. Stock. Meeting of the Company, to convert or consolidate all or any Part of the Shares then existing in the Capital of the Company, and in respect whereof the whole Money subscribed shall have been paid up, into Capital Stock, and whether of One or more than One Denomination, to be divided amongst the Proprietors according to their respective Interests therein.

XXXI. And be it enacted, That after such Conversion or Con- Proprietors solidation shall have taken place all the Provisions contained in the of Stock may recited Acts or this Act which require or imply that the Capital of the same. Company shall be divided into Shares of any fixed Amount, and distinguished by any Numbers, shall, as to so much of the said Capital as shall have been so converted or consolidated into Stock, cease and be of no Effect; and the several Proprietors of such Stock may thenceforth transfer their respective Interests therein, or any Parts of such Interests, in the same Manner and subject to the same Regulations and Provisions as or according to which any Shares in the Capital of the Company might have been transferred under the Provisions of this or the said recited Acts; and the Company shall cause an Entry to be made in some Book to be kept for that Purpose of every such Transfer, and for every such Entry they may demand any Sum not exceeding Two Shillings and Sixpence.

XXXII. And be it enacted, That the Transfer of Interests in the Form of said Consolidated Stock may be in the Form contained in the Schedule Transfer. (A.) to this Act, or to the like Effect; and every such Transfer shall be by Deed duly stamped, wherein the Consideration shall be truly stated.

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Register of Stock.

XXXIII. And be it enacted, That the Company shall from Time to Time cause the Names of the several Parties who may be interested in any such Stock as aforesaid, with the Amount of the Interest therein possessed by them respectively, to be entered in One or more Books to be kept for the Purpose, and to be called "The Register of Proprietors of Consolidated Stock," in which Books the Holders of Stock bearing a fixed or limited Dividend shall be distinguished from the Holders of other Stock; and the said Books shall be accessible at all seasonable Times to the several Proprietors of Shares or Stock in the said Undertaking.

Proprietors
of Stock entitled to
Dividends.

XXXIV. And be it enacted, That the several Proprietors in the said Stock shall be entitled to participate in the Dividends and Profits of the Company according to the Amount of their respective Interests in such Stock, and to the Terms upon which the same may have been created; and such Interests in any Stock on which no specified Amount of annual Dividend shall have been limited at the Time of the Creation thereof shall, in proportion to the Amount thereof, confer on them respectively the same Privileges and Advantages for the Purpose of voting at Meetings of the Company, Qualification for the Office of Directors, and for other Purposes, as would have been conferred by Shares of equal Amount in the Capital of the Company, but so that none of such Privileges or Advantages, except the Participation in the Dividends and Profits of the Company, shall be conferred by any aliquot Part of One hundred Pounds of such Consolidated Stock.

Scale of voting.

XXXV. And be it enacted, That the Scale according to which the Shareholders may vote in respect of their Shares of Twenty Pounds each shall be as follow; (that is to say,)

For One Share or more, but not exceeding Five, One Vote: For more than Five, but not exceeding Ten, Two Votes: For more than Ten, but not exceeding Twenty, Three Votes:

For more than Twenty Shares, an additional Vote for every Ten Shares.

Power to vary the Number of Directors.

XXXVI. And be it enacted, That it shall be lawful for the Company at their first or any subsequent Meeting after the passing of this Act to increase the present Number of Directors, provided that the increased Number do not exceed Twelve, and may afterwards reduce the same, so that the reduced Number be not less than Eight.

Additional Directors.

XXXVII. And be it enacted, That in addition to the present Directors of the Taw Vale Railway and Dock Company the following Persons shall be Directors; (that is to say,) William Cory, John Griffith Frith, John Sharland, Esquires, John Lyon Hulme, Captain of the Royal Engineers, and Edward Woolmer Esquire.

Directors to continue in Office until first Meeting

XXXVIII. And be it enacted, That the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office

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the Directors appointed by this Act, or any Number of them, or may afterpassing elect a new Body of Directors, or Directors to supply the Places of of this Act. those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body; and at the first Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in the said recited Acts and in this Act contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the said firstly-recited Act.

XXXIX. And be it enacted, That the General or Special Meetings Place of of the Company under the recited Acts or this Act may be held in Meeting. London, Exeter, or Barnstaple, as the Directors may determine.

XL. And be it enacted, That nothing contained in this Act, or in Saving the the Acts herein recited or referred to, shall extend to authorize the Rights of the Company to purchase, take, or use any Land or Soil, or any Rights in Crown. respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners or any Two of them are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

XLI. And be it enacted, That in this Act whenever the Words Interpreta-"the Company" are used the same shall be held to mean the "Taw tion of Act. Vale Railway and Dock Company;" Words importing the Plural Number shall include the Singular, and Words importing the Singular Number shall include the Plural; and Words importing the Masculine Gender shall include Females; the Words "the Railway" shall mean the Railway and Works connected therewith hereby authorized to be made; and the Word "Lands" shall be held to include Lands, Tenements, Buildings, and Hereditaments of every Tenure and Description.

XLII. And whereas an Act was passed in the Second Year of Railway to the Reign of Her present Majesty, intituled An Act to provide for the be subject to Conveyance of the Mails by Railways; and another Act was passed 1&2 Vict. in the Fourth Year of the Reign of Her said Majesty, intituled An c. 98., Act for regulating Railways; and another Act was passed in the 3&4 Vict. Sixth Year of the Reign of Her said Majesty, intituled An Act for c. 97. the better Regulation of Railways, and for the Conveyance of Troops; 5 & 6 Vict. and another Act was passed in the Eighth Year of the Reign of Her 7 & 8 Vict. said Majesty, intituled An Act to attach certain Conditions to the c. 85. Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament; and for other Purposes in relation to Railways; be it enacted, That nothing in this Act contained shall be held to exempt the said [Local.]Railway

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Railway or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company, so far as the same shall be applicable thereto.

Railway to any future general Act.

XLIII. And be it enacted, That nothing herein contained shall be be subject to deemed or construed to exempt the said Railway by this or the said Provisions of regited. Act authorized to be made from the Provisions of any general recited Act authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Expences of Act.

XLIV. And be it enacted, That all the Costs, Charges and Expences of and incidental to the obtaining and passing of this Act, or otherwise incidental thereto, shall be paid by the Company out of the Money received or to be received by them under the Authority of this and the said recited Acts.

Public Act.

XLV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHEDULE to which this Act refers.

SCHEDULE (A.)

Form of Transfer of Stock.

Taw Vale Railway and Dock.

in consideration of the Sum I *A. B.* of Pounds paid to me by C. D. of of do hereby transfer to the said C. D. Pounds Stock [and if the same shall be of any particular Denomination, insert the same of and in the Undertaking called "The Taw Vale Railway and Dock," standing in my Name in the Books of the Company [or Part of the Stock standing in my Name in the Books of the Company], to hold unto the said C.D., his Executors, Administrators, and Assigns [or Successors and Assigns], subject to the several Conditions on which I held the same at the Time of the Execution hereof. And I the said C.D. do hereby agree to take the said Stock subject to the same Conditions. As witness our Hands and Seals, the Day of

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