



ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

Cap. cccii.

An Act for authorizing certain Alterations in and Extensions of the Line of the *South Devon Railway*, and the Formation of Branches therefrom to *Torquay* and other Places. [28th August 1846.]

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for making a Railway from Exeter to Plymouth, to be called the South Devon Railway*: And whereas it would be attended with local and public Advantage if a Branch Railway were made from and out of the said *South Devon Railway* to or near to *Torquay* in the County of *Devon*, and also if Branch Railways were made in extension of the said *South Devon Railway*, one thereof to *Sutton Pool* in the Parish of *Charles, Plymouth*, and another thereof to *Devonport* in the Parish of *Stoke Damerell*, and also if a Portion of the Main Line of the *South Devon Railway*, and a Portion of the Branch Railway to *Millbay* as authorized to be made by the said recited Act, were altered, and new Lines of Railway were made in lieu thereof: And whereas Two Acts were passed in the last Session of Parliament, called respectively "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845:" And whereas

7 & 8 Vict.
c. 68.

[Local.] 81 Y it

Recited Act
extended to
this Act.

it is expedient that some of the Powers and Provisions of the said recited Act relating to the *South Devon* Railway should be amended and enlarged; but the several Purposes aforesaid cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Provisions, Matters, and Things contained in the said recited Act relating to the *South Devon* Railway, so far as the same are now unrepealed, and are not inconsistent with or altered by the Provisions of this Act, and save in so far as the same may be inconsistent with and are altered by the Provisions of the said "Lands Clauses Consolidation Act, 1845," and of the said "Railways Clauses Consolidation Act, 1845," as extended to this Act, shall extend to this Act, and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act in reference to such Purposes, Matters, and Things; and the Branch Railways and Works by this Act authorized to be made by the said *South Devon* Railway Company shall, when so made, form Parts of the Undertaking of the *South Devon* Railway.

8 & 9 Vict.
cc. 18. and
20. extended
to this Act.

II. And be it enacted, That the Provisions of the said "Lands Clauses Consolidation Act, 1845," and of the said "Railways Clauses Consolidation Act, 1845," except as herein-after excepted, and so far as such Provisions respectively are not modified by or inconsistent with the Provisions of this Act, shall extend to this Act and to the Objects and Purposes thereof, in like Manner as though the same had been incorporated therewith and formed Part thereof: Provided always, that such of the Provisions of the said "Railways Clauses Consolidation Act, 1845," as relate to the carrying of Passengers and Goods upon the Railway, the Tolls to be taken thereon, and to the regulating the Use of the Railway, and to the Engines and Carriages to be brought on the Railway, and to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, shall not apply to the Branch Railways and Works by this Act authorized.

Short Title.

III. And be it enacted, That in citing the said recited Act relating to the *South Devon* Railway and this Act in other Acts of Parliament, and in all legal Instruments and other Proceedings, it shall be sufficient to use the respective Expressions, "The *South Devon* Railway Act, 1844," and "The *South Devon* Railway Act (Amendment and Branches), 1846."

Power to
raise addi-
tional Money
by Creation
of new
Shares.

IV. And be it enacted, That it shall be lawful for the said Company to raise, by creating new Shares or Stock, in addition to the Sums of Money which they are authorized to raise by virtue of the said first-recited Act, any further Sum of Money not exceeding in the whole the Sum of Five hundred thousand Pounds, in such Manner and with the like Powers and subject to the same Provisions under which by the said first-recited Act they are au-
thorized

authorized to raise additional Capital by the Creation of new Shares in lieu of borrowing the Sum by the said first-recited Act authorized to be borrowed, or for the Conversion of such Sums or any Part thereof, if borrowed, into Capital: Provided always, that the new Shares so to be created shall be of such nominal Amount, and shall be entitled to such Privileges, as the Company may determine.

V. And be it enacted, That the Capital so to be raised by the Creation of new Shares or Stock shall be divided into Shares of such Amount as will conveniently allow the same to be apportioned according to the Order of any Ordinary or Extraordinary General Meeting of the Company, and shall be considered 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 Amount 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.

New Shares to be considered same as original Shares.

VI. And be it enacted, That the Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if they had been possessed of original Shares in the said Undertaking.

As to Votes of Proprietors of new Shares.

VII. And be it enacted, That after the whole of the Capital by this Act authorized to be raised shall have been subscribed, and One Half thereof and of the Capital by the said first-recited Act authorized to be raised by Shares or Stock shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, not exceeding in the whole, in addition to the Sum authorized to be borrowed by the said first-recited Act, the Sum of One hundred and eleven thousand six hundred and sixty-six Pounds, and to secure the Repayment of the Sum so borrowed, with Interest, by Mortgage or Bond as by the said first-recited Act provided, subject to the several Provisions and Conditions in the said Act contained as applicable to the Mortgages and Bonds thereby authorized to be created.

Power to borrow Money on Mortgage.

VIII. And be it enacted, That if after having borrowed any Part of the Money so authorized to be borrowed on Mortgage or Bond the said Company shall desire to pay off, or shall actually pay off, the same, it shall be lawful for them again to borrow the Amount so paid off or desired to be paid off, and so from Time to Time.

Re-borrowing.

IX. Provided always, and be it enacted, That all Mortgages or Bonds which may have been already created under the Powers of the said first-recited Act shall, during the Continuance thereof, have Priority over any Mortgages or Bonds to be created by virtue of this Act.

Mortgages under former Acts to have Priority.

X. And

Mortgages to be payable at the principal Office of Company.

X. And be it enacted, That the Principal Monies which shall become payable in respect of any Mortgage or Bond by the Company by virtue of this or the said recited Act shall, unless otherwise expressed in such Mortgage or Bond, be deemed to be payable at the principal Office of the Company.

Power to convert Loan into Capital.

XI. And be it enacted, That it shall be lawful for the Company, if they think fit, to raise the additional Sum so authorized to be borrowed, or any Part thereof, by creating new Shares or Stock of the Company instead of borrowing the same; or; having borrowed the same, it shall be lawful for them to continue at Interest only a Part of such additional Sum, if they so think fit, and to raise the Remainder thereof or any Part of the Remainder thereof by creating new Shares or Stock of the Company in manner aforesaid; but no such Augmentation of Capital shall take place unless by Order of a General Meeting of the Company.

Power to South Devon Railway Company to subscribe toward certain intended Railways.

XII. And whereas certain Railways have been projected through the Counties of *Devon* and *Cornwall* the Formation whereof would be beneficial to the Interests of the said *South Devon* Railway Company, who are willing therefore to subscribe towards the same, if authorized by Parliament so to do; be it therefore enacted, That it shall be lawful for the said Company to subscribe towards the Formation of a certain Railway intended to be formed from or from near *Plymouth* to *Falmouth* the Sum of One hundred and fifty-thousand Pounds, and towards the Formation of a certain other intended Railway from or from near *Dart Bridge* to *Newton Abbott* the Sum of Twenty thousand Pounds.

Power to guarantee the Payment of Interest.

XIII. And be it enacted, That it shall be lawful for the said Company, if they shall think fit, in place of raising the said Sums respectively by the Creation of new Shares or Stock in manner hereinbefore mentioned, to guarantee the Payment of Interest on the said Sums of Money respectively or any Part thereof out of their Corporate Funds.

South Devon Railway Company may accept Lease of or purchase intended Railways.

XIV. And be it enacted, That in the event of the Companies or Persons by whom the said intended Railways respectively may be authorized to be carried into effect being authorized to let on Lease or sell the same, it shall be lawful for the said *South Devon* Railway Company to accept such Lease, or to purchase the said Railways or either of them, together with such Powers, Privileges, and Authorities as the Companies to whom the same may respectively belong may be authorized to transfer under any such Lease or Sale, and subject to such Conditions in reference to such Lease or Sale as may be contained in any Act or Acts relating to the said Railways respectively.

Works to be executed according to deposited Plans.

XV. And whereas Plans and Sections showing the Line and Levels of the said proposed Branch Railway and other Works herein-after described, together with Books of Reference to such Plans containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the said proposed Works,

Works, have been deposited with the Clerk of the Peace of 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 said Company to execute the said proposed Works in the Line or Lines delineated on the said Plans, and upon the Lands described thereon and in the said Books of Reference, and for that Purpose to enter upon, take, and use such of the said Lands as may be required for the Purposes of the said Works.

XVI. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to as extended to the Objects of this Act, shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of the Duchy of *Cornwall*, without the Consent in Writing of Two or more of the principal Officers of the said Duchy, and which Consent such principal Officers or any Two of them are hereby authorized and empowered to give, or, belonging to the Duke of *Cornwall* for the Time being, without the Consent of the said Duke, testified in Writing under the Privy Seal of the said Duke, first had and obtained for that Purpose, 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, in right of the Duchy of *Cornwall*, or in or by the Duke of *Cornwall* for the Time being; and particularly that nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to authorize the Company, without such Consent, in any way to interfere with the Water of the *Tamar*, or the Soil thereof, or the free Navigation of the River *Tamar* as heretofore enjoyed.

Saving the Rights of Her Majesty and the Duke of Cornwall in right of the Duchy.

XVII. And whereas it is indispensably necessary that the Fortifications and Defences at or near *Devonport* and *Plymouth* should be preserved from Injury, and that the same should be in no respect affected by the said proposed Railway; be it therefore enacted, That nothing in this Act contained shall authorize the said Company to construct or carry the said Railway across the Lines at *Devonport* or *Plymouth*, or to enter upon or possess or occupy any Land or other Property belonging to Her Majesty, vested in or under the Direction of the principal Officers of Her Majesty's Ordnance, in the Parishes of *Charles*, *Saint Andrew* (both at *Plymouth*), of *Stoke Damerell*, *East Stonehouse*, or elsewhere at *Devonport* or *Plymouth*, all in the County of *Devon*, or any or either of them, without the Consent in Writing of the principal Officers of Her Majesty's Ordnance first given to the said Company for the Purpose.

Company not to enter upon Crown Land without Consent of the Board of Ordnance.

XVIII. And whereas certain Provisions are contained in the said firstly-recited Act with reference to the Construction of the Works thereby contemplated in connexion with the Harbour of *Teignmouth* and the River *Teign*, and for the Protection of the said Harbour and River; be it enacted, That such Provisions shall be held applicable to the Works by this Act authorized in connexion with the said River, in like Manner and as fully as though the same were hereby re-enacted in reference to such last-mentioned Works.

For Protection of the River Teign.

Line of
Works.

XIX. And be it enacted, That the said Branch Railway to *Torquay* shall commence from and out of the Line of the *South Devon* Railway at or near a Place called *Aller*, situate in the several Parishes of *Coombe-in-Teignhead*, *Abbotskerswell*, and *Woolborough*, or some or one of them, in the County of *Devon*, and shall terminate at or near to a certain Field numbered 23, in the Parish of *Tormoham*, on the Plans deposited as aforesaid; the said Branch Railway to *Sutton Pool* shall commence from and out of the Line of the said *South Devon* Railway at or near to *Lairy Green*, and shall terminate at or near the North-east Corner of *Sutton Pool* aforesaid; the said Branch Railway to *Devonport* shall commence from and out of the Line of the said *South Devon* Railway in the Parish of *Saint Andrew, Plymouth*, and shall terminate at or near the Road leading from *Devonport* to *Tavistock* in the Parish of *Stoke Damerell* in the County of *Devon*; and the new or altered Line of the Main Line of the said *South Devon* Railway, as at present authorized to be made, shall commence from the Thirty-first Mile Seventy-sixth Chain marked on the Plans thereof according to which the same is by the before-recited Act authorized to be made, and shall terminate at the Thirty-second Mile Seventieth Chain marked on the said Plan; and the new or altered Line of the said Branch Railway to *Millbay* shall commence from and out of the Main Line of the said *South Devon* Railway, at or near the Point of Divergence therefrom of the said Branch Railway, as at present authorized to be made, in the Parish of *Saint Andrew, Plymouth*, and shall fall into the Line of the said Branch Railway, as at present authorized to be made, near the *Millbay Road*, and shall pass from thence across a Portion of *Millbay* to the Shore thereof in the Parish of *East Stonehouse* in the County of *Devon*.

If Branch to
Millbay be
made, no
Locomotives
to be used
thereon.

XX. Provided always, and be it enacted, That if the said Company shall make the said Branch Railway to *Millbay* so that the same shall cross the public Highways called *Union Street* and *Millbay Road*, respectively, or either of them, on the Level, it shall not be lawful for them or for any other Company or Person to use any Locomotive Steam Engine thereon: Provided also, that it shall not be lawful for the said Company to carry the said Branch on the Level across either of the said Two public Highways, unless such Mode of crossing shall have been previously approved by the Inspector General of Railways for the Time being; but in case the said Inspector General shall require that the said Branch Railway shall be carried across the said Highways, or either of them, otherwise than on the Level, then and in such Case nothing herein or in the said first-recited Act contained shall prevent the Company from constructing the same in such altered Manner as he may require.

Power to
abandon
Part of the
Main Line
and of the
Millbay
Branch.

XXI. And be it enacted, That the Company shall abandon the Formation of so much of the Main Line of the said *South Devon* Railway and of the said Branch Railway to *Millbay*, as at present authorized to be made, as will be superseded by such new or altered Line as herein-before authorized to be made, and also so much of the Main Line of the said *South Devon* Railway, as at present authorized to be made, as lies between the Termination thereof at *Eldad* and the Point from which the amended Line of the said Branch Railway to *Millbay*,

Millbay, or the said intended Branch Railway to *New Passage*, will diverge therefrom; and likewise to abandon the Formation of a Road or Approach at present authorized to be made from *King Street* in the Parish of *Saint Andrew, Plymouth*, to the Termination of the said Railway at *Eldad* aforesaid; and moreover to abandon the Formation of so much of the Road or Approach at present authorized to be made within the Parishes and Places of *Stoke Damerel, Stonehouse Creek, Stonehouse Mill Pool, East Stonehouse*, and *Saint Andrew, Plymouth*, from the Boundary of the Government Lines outside the North-east Barrier Gate at *Devonport* to the Terminus of the said Railway at *Eldad* aforesaid, as lies within the Parishes and Places of *Stonehouse Creek, Stonehouse Mill Pool, East Stonehouse*, and *Saint Andrew, Plymouth*, respectively: Provided always, that nothing herein-before contained shall enable the said *South Devon Railway Company*, in constructing the said Branch Railway to *Sutton Pool* herein-before authorized to be made, to deviate so as to take any Part of the Railway called the *Plymouth and Dartmoor Railway*, or other the Lands, Tenements, or Hereditaments of the *Plymouth and Dartmoor Railway Company*, or which belong to or are vested in Mess^{rs} *John and William Johnson*, in the said first-recited Act named, in virtue of their Property or Interest in the said *Plymouth and Dartmoor Railway*.

XXII. And be it enacted, That all the Power and Authority given to and conferred on the *South Devon Railway Company* by the said first-recited Act, enabling the said *South Devon Railway Company* to alter and extend the said *Plymouth and Dartmoor Railway* and the Branches thereof, shall cease, determine, and be void: Provided nevertheless, that all the Powers and Authorities by the said last-mentioned Act given to and conferred upon the said *Plymouth and Dartmoor Railway Company*, and the said Mess^{rs} *John and William Johnson*, or either of them, their or either of their Successors, Heirs, Executors, Administrators, and Assigns, shall continue and be to all Intents and Purposes as valid and effectual as though the said *South Devon Railway Company* had not in pursuance of the said Act declared in Writing whether they had elected, and as though the said *South Devon Railway Company* had not elected, to make the said Alterations and Extensions therein mentioned, but so nevertheless that nothing in the said recited Act or in this Act contained shall enable the said *Plymouth and Dartmoor Railway Company*, or the said Mess^{rs} *John and William Johnson*, to alter or extend the said *Plymouth and Dartmoor Railway* so as to interfere with the Construction of the said proposed Branch Railway to *Sutton Pool* in the Manner authorized by this Act, or the Execution of any Power by this Act given to the said *South Devon Railway Company* in relation thereto.

So much of recited Act as empowers the *South Devon Railway Company* to alter *Plymouth and Dartmoor Railway* repealed.

XXIII. And be it enacted, That whensoever the said *South Devon Railway* shall run or be within Forty Yards of the said *Plymouth and Dartmoor Railway*, the said *South Devon Railway Company* or their Successors shall, if required by the Board of Trade, build and maintain on their own Land, between their Line and the Line of the *Plymouth and Dartmoor Railway*, a Fence of not less than Ten Feet in Height from the Levels of the Rails of the said *South Devon Railway*.

Fence to be erected between certain Railways if required by the Board of Trade.

XXIV. And

For Protection of Plymouth and Devonport Gas Companies.

XXIV. And be it enacted, That if after the Construction of the Railway across any Street or public Thoroughfare in which any Gas or Water Company are or shall be authorized to lay down Mains or Pipes such Gas or Water Company shall require to lay down Mains or Pipes therein across the Line of the Railway, it shall be lawful for such Gas or Water Company, having first given Three Days Notice at least to the Railway Company, by leaving the same with the Superintendent or other chief Officer of the Company at the principal Station in the Town or Place in which such Gas or Water Pipes shall be required to be laid, to open the Ground under the said Railway, for the Purpose of laying down, repairing, cleansing, or inspecting such Mains or Pipes under the said Railway, and to lay down, repair, cleanse, or inspect the same under the said Railway as often as they shall require so to do; provided that such Works shall be executed under the Direction and Superintendence and to the Satisfaction of the Engineer for the Time being to the Railway Company, and according to Plans to be approved by him, and that the Security of the said Railway, and the safe and efficient working thereof, be not interfered with.

Certain Roads may be crossed on the Level.

XXV. And be it enacted, That, subject to the Provisions of the said first-recited Act and this Act, it shall be lawful for the Company, in the Construction of the said Branch Railways and other Works by this Act authorized to be made, to cross on the Level the several Roads or Highways designated on the Plans deposited as herein-before mentioned by the Numbers following; (that is to say,) in the Parish of *Kingskerswell* the Roads numbered 50 and 93 respectively, in the Parish of *Saint Andrew* the Roads numbered 71 and 112 respectively, in the Parish of *Charles* the Road numbered 40: Provided always, that it shall not be lawful to cross as aforesaid the said Road numbered 93 in the Parish of *Kingskerswell* on the Level, without the Consent of the Board of Trade for that Purpose first had and obtained.

Station or Lodge to be erected at Points of crossing.

XXVI. And be it enacted, That, for the greater Convenience and Security of the Public, the Company shall erect and permanently maintain a Station or Lodge at the Points where the said Railway shall cross on the Level any of the before-mentioned Roads.

Compulsory Purchase of Lands limited.

XXVII. And be it enacted, That the Powers of the Company for the compulsory purchasing and taking of Lands for the Purposes of this Act shall not be exercised by them after Three Years from the passing of this Act, and the Powers of the Company for the Construction of the said proposed Railways and other hereby authorized Works shall cease after Five Years from the passing of this Act.

Limiting Charges for the Conveyance of Passengers.

XXVIII. And be it enacted, That it shall not be lawful for the said Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway by this Act authorized than Three-pence *per Passenger per Mile* in respect of any Passenger travelling in a First-class Carriage, Two-pence *per Passenger per Mile* in respect of any Passenger travelling in a Second-class Carriage, and One Penny Farthing *per Passenger per Mile* in respect

respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance, unless in the Case of Passengers travelling by Special Trains: Provided always, that if any such Passenger be conveyed for a less Distance than Six Miles, it shall be lawful for the said Company to demand and receive Tolls as for Six Miles.

XXIX. And be it enacted, That it shall not be lawful for the said Company to charge, in respect of the several Articles, Matters, and Things, or of the several Descriptions of Animals, hereafter mentioned conveyed on the Railway by this Act authorized, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, (except a reasonable Charge for the Expence of loading and unloading, where such Service is performed by the Company,) than the several Sums herein-after mentioned; (that is to say,)

Limiting
Charges
for the Con-
veyance of
Goods and
Cattle.

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and Salt, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* One Penny Halfpenny:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, Sheet Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *per Ton per Mile* Two-pence:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Two-pence Three Farthings:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per Ton per Mile* Four-pence:

And for every Carriage, of whatever Description, having more than Two Wheels, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, *per Mile* Five-pence; and if having only Two Wheels, *per Mile* Four-pence:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per Mile* Five-pence:

For every Ox, Cow, Bull, or Neat Cattle, *per Mile* Two-pence:

For every Calf or Pig, *per Mile* Three Farthings:

For every Sheep, Lamb, or other small Animal, *per Mile* One Halfpenny.

XXX. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Train, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company.

Foregoing
Charges not
to apply to
Special
Trains.

[Local.]

82 A

XXXI. Pro-

Company may take increased Charges by Agreement.

XXXI. Provided further, and be it enacted, That nothing herein contained shall be held to prevent the said Company from taking any increased Charges, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger Trains or by reason of any other special Service performed by the said Company in relation thereto.

Expences of Act.

XXXII. And be it enacted, That all Costs, Charges, and Expences attending the passing of this Act or incidental thereto shall be paid by the said Company out of the first Monies which shall come to their Hands, and in preference to any other Payment whatsoever.

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

XXXIII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament; and for other Purposes in relation to Railways*; be it enacted, That nothing in this or the said recited Act contained shall be held to exempt the said Railway or the said 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.

Railways to be subject to Provisions of any future general Act.

XXXIV. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, which may hereafter pass during the present or any future Session of Parliament, or from any Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Saving Rights of Corporations and Lords of Manors.

XXXV. Provided always, and be it enacted, That, save as by this Act specifically provided, nothing herein contained shall extend or be construed to extend to take away, lessen, or prejudice the Rights, Jurisdictions, Liberties, Franchises, Royalties, Powers, Authorities, Payments, or Privileges of any Corporation, or of the Lord or Lords of any Manor, but that all such Rights, Jurisdictions, Liberties, Franchises, Royalties, Powers, Authorities, Payments, and Privileges shall, except as aforesaid, be preserved and continued, and may be exercised and enjoyed, in like Manner as though this Act had not been passed.

XXXVI. And

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

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