CHAP. clii.

An Act for extending the time for the completion of the Teign Valley Railway, and for conferring additional powers upon the Teign Valley Railway Company; and for other purposes; and of which the short title is "Teign Valley Railway Act, 1870." [1st August 1870.] A.D. 1870.

WHEREAS by "The Teign Valley Railway Act, 1863," (in this Act called the Act of 1863,) the Teign Valley Railway Company (in this Act called "the Company") were incorporated, and were authorised to make and maintain the Teign Valley Railway, being a railway commencing by a junction with the authorised line of the Moretonhampstead and South Devon Railway, in the parish of Bovey Tracey, and terminating in the parish of Doddiscombsleigh, all in the county of Devon, and the time limited for the completion thereof was five years from the passing of the reciting Act: 26 & 27 Vict. c. clix.

And whereas by "The Teign Valley Railway Act, 1865," (in this Act called the Act of 1865,) additional powers were conferred upon the Company: 28 & 29 Vict. c. cliv.

And whereas by "The Teign Valley Railway Act, 1868," (in this Act called the Act of 1868,) the Company were authorised to make and maintain a railway in substitution for and by way of deviation of part of their railway authorised by the Act of 1863, and to abandon the construction of so much of that authorised railway as would be rendered unnecessary by the making of the substituted railway, and the time limited for the completion of the substituted railway was two years from the passing of the reciting Act: 31 & 32 Vict. c. xcix.

And whereas by the Act of 1868 the period by the Act of 1863 limited for the completion of the railway and works by that Act authorised was (except as to the part of that railway required by the Act of 1868 to be abandoned) extended for two years from the passing of the reciting Act:

And whereas the Company have proceeded to put the Act of 1863 and the Act of 1868 in execution, and have nearly completed the greater part of their railways authorised by those Acts respectively:

A.D. 1870.

And whereas it is expedient that the period by the Act of 1863 limited for the compulsory purchase of the lands in that behalf in this Act mentioned be revived and extended:

And whereas it is expedient that the period limited by the Act of 1863, and extended by the Act of 1868, for the completion of the railway by the Act of 1863 authorised be further extended, and that the period limited by the Act of 1868 for the completion of the railway by that Act authorised be extended:

And whereas it is expedient that the Company on the one hand, and the South Devon Railway Company, and the Moretonhampstead and South Devon Railway Company, or either of those companies, on the other hand, be authorised to enter into and carry into effect agreements and arrangements with reference to the construction, use, management, and maintenance of a joint station at or near the authorised junction of the Teign Valley Railway with the Moretonhampstead and South Devon Railway, as by this Act provided:

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

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may be cited for all purposes as "Teign Valley Railway Act, 1870."

Provisions of Acts herein named incorporated.

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railway Clauses Consolidation Act, 1845," and Part Two (relating to extension of time) of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. The several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have in this Act the same respective meanings, unless there be something in the subject or context repugnant to such construction: the expression "the Company" means the Teign Valley Railway Company, the expression "the Act of 1863" means "The Teign Valley Railway Act, 1863," the expression "the Act of 1865" means "The Teign Valley Railway Act, 1865," the expression "the Act of 1868" means "The Teign Valley Railway Act, 1868," and the expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated therewith, shall be read and have effect as

if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

Extension of time for compulsory purchase of certain lands.

4. The powers by the Act of 1863 granted to the Company for the compulsory purchase of the lands numbered respectively 3, 10, 11, 12, 16, 16a, 17, 18, 19, 20, 21, 22, and 23, in the parish of Bovey Tracey in the county of Devon, on the plans referred to in that Act are by this Act revived and extended, and may be exercised before but shall not be exercised after the expiration of one year from the passing of this Act: Provided always, that notwithstanding anything in this Act or the recited Acts, or either of them, contained, the Company shall not, except with the previous consent in writing of the Moretonhampstead and South Devon Railway Company, and of the South Devon Railway Company, so long as that company continue to work the railway of the Moretonhampstead and South Devon Railway Company, purchase, take, use, or interfere with any part of the railway, works, and lands of the last-named company, but the Company may purchase and take, and the Moretonhampstead and South Devon Railway Company may and shall sell and grant accordingly, an easement or right of using so much and such parts of the said railway, works, and lands as may be necessary for the purpose of effecting a communication between the railway of that company and the railway of the Company in the manner prescribed by section 23 of the Act of 1863.

Extending time for completion of railways.

5. The period by the Act of 1863 limited, and extended by the Act of 1868, for the completion of the railway by the Act of 1863 authorised (except such part thereof as is by the Act of 1868 required to be abandoned) is by this Act further extended, and the period limited by the Act of 1868 for the completion of the railway by that Act authorised is by this Act extended, and those railways (except as aforesaid) may and shall be completed within one year after the passing of this Act, and on the expiration of that period the powers by the Act of 1863 and the Act of 1868 and this Act respectively granted to the Company for the completion of those railways (except as aforesaid), or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Power to enter into agreements as to joint station.

6. The Company on the one hand, and the South Devon Railway Company and the Moretonhampstead and South Devon Railway Company, or either of them, on the other hand, may enter into and carry into effect contracts, agreements, and arrangements for or with reference to the construction, use, management, and maintenance of a joint station at or near the authorised junction of the Teign

A.D. 1870.

Valley Railway with the Moretonhampstead and South Devon Railway, with all proper and necessary approaches, works, and conveniences connected therewith, and the appointment of a joint committee, with all usual and necessary powers for the regulation, control, and management of such station.

Saving rights of Company and other companies.

7. Except only as is by this Act expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or alter any of the estates, rights, powers, privileges, or authorities of the Company, or any other company to which this Act relates.

Interest not to be paid out of capital.

8. The Company shall not, out of any money by any Act relating to the Company authorised to be raised by calls or by borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of the shares held by him, provided that the Company may pay 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."

Deposits for future Bills not to be paid out of Company's capital.

9. The Company shall not, out of any money by any Act relating to the Company authorised to be raised, pay or deposit any sum of money which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or execute any other work or undertaking.

Provisions for general Railway Acts.

10. Nothing herein contained shall be deemed or construed to exempt the railway from the provisions of any general Act relating to railways, or the better or more impartial audit of the accounts of railway companies, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the tolls for small parcels, and the maximum rates of fares and charges by the Acts relating to the Company authorised.

Expenses of Act.

11. All the costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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