



THE RAILWAY WHICH NEVER ARRIVED

Isambard Kingdom Brunel

His railways in South Devon and the unsuccessful
attempts to bring
the line to Salcombe

Brunel 200 is an initiative of Bristol Cultural Development Partnership -
Arts Council England West, Bristol City Council and Business West

Text by Tim Bass - March 2006
Illustrations prepared by Jane Bass

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ISAMBARD KINGDOM BRUNEL AND SOUTH DEVON RAILWAYS



Isambard Kingdom Brunel 1806-1859

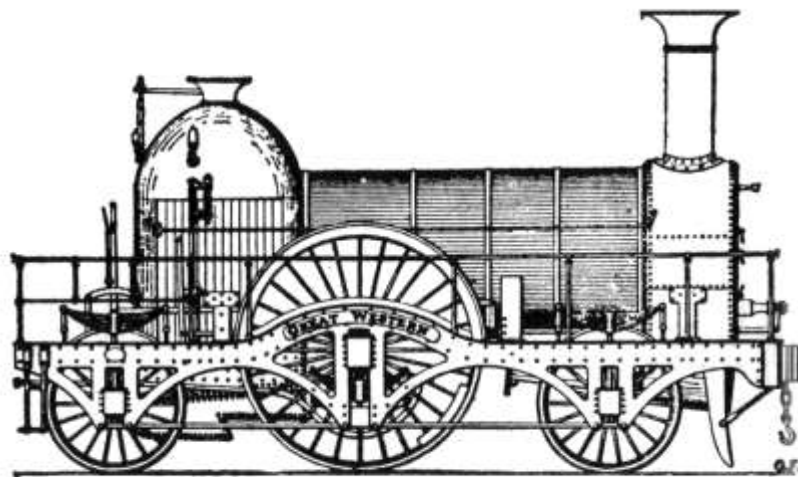
Isambard Kingdom Brunel, the celebrated Victorian engineer, was born on 9 April 1806. His most enduring monument is undoubtedly his Great Western Railway which, at its largest extent, fanned out from its terminus at London's Paddington Station to destinations as diverse as Birkenhead on Merseyside, Pwllheli on the Caernarvonshire coast, Fishguard for the Irish ferries, Penzance and Weymouth. While changing demands for transport of goods and passengers has led to the loss of much of the network, a great deal still remains in this, his bicentenary year.

Early in 1833, Brunel was commissioned to undertake an initial survey for a proposed railway from Bristol to London at a fee of £500. This was completed by August, a railway company was then formed and Brunel, at the age of 28, was appointed its engineer. Until that time the new British railway companies, apart from the Grand Junction which joined the Liverpool and Manchester to the London and Birmingham, had taken their names from their terminal centres. It needed a visionary like Brunel to foresee the way that railways would so quickly

develop; the one by which he was employed was named 'Great Western'. While there is no definite evidence, it might be surmised that the name was his suggestion.

Following the formation of the Company capital had to be raised, a definitive survey completed, landowners conciliated and the requisite Act of Parliament obtained before construction of the railway could commence. Brunel played a leading role in these activities. In particular, he made a huge impact during his examinations before the committees of the Houses of Commons and Lords. After a lengthy struggle, the Great Western Railway (GWR) eventually obtained its Act in August 1835. In the meantime, Brunel and his assistants had also been busying themselves with surveys for other railway lines which, in the fullness of time, amalgamated with the GWR. These included the Oxford branch, the Bristol and Exeter, the Cheltenham and Great Western Union and a number of lines in South Wales.

As it had been assumed that Brunel's railway would be built to the same gauge as existing lines, namely the 4 feet 8 1/2 inches chosen by George Stephenson and derived from the horse drawn coal wagons of North East England, this matter was not referred to in the Act. In fact, Brunel believed that the Stephenson gauge was too narrow to carry the locomotives and vehicles required at the speed he planned for his railway. Such was the force of his personality that he was able to persuade his Board of Directors that the GWR should be built to a gauge of 7 feet. He was unconcerned that traffic would be unable to pass directly from his railway to others. He presumed that it would have a monopoly in the West of England and that its superiority over the narrow gauge lines would soon become so evident that they would be obliged to follow his lead and convert to the broad gauge.



2-2-2 *Great Western*, the first GWR engine built entirely at Swindon, April 1846

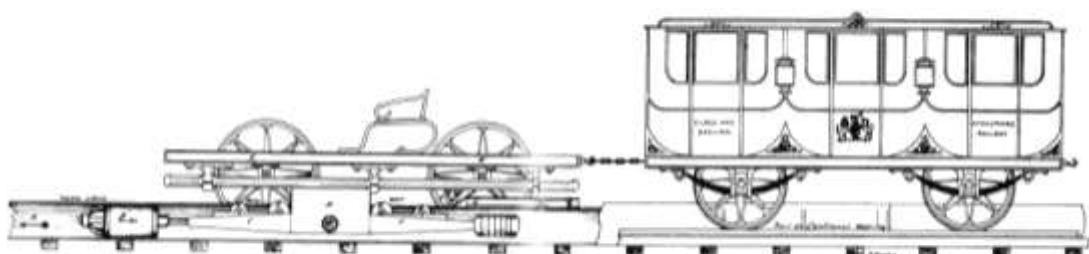
Drawing of an early broad gauge locomotive

The new railway was opened in several stages, allowing the company to start making money as soon as possible. The first London to Bristol train ran in June 1841 and, by this time, the Bristol and Exeter railway was already open to Bridgwater. The link to Exeter soon followed, the inaugural train reaching Devon's capital on 1 May 1844. Daniel Gooch, Brunel's Chief Locomotive Assistant, drove the *Orion* engine with six carriages, completing the 194 miles in

five hours. On the return journey later that day Gooch did even better, reducing the journey time to 4 hours 40 minutes, including stops. Within three years the time for the fastest booked Exeter expresses had been reduced to 4 hours 25 minutes, times which could not be matched by any of the services run on the narrow gauge lines. The broad gauge had certainly been vindicated in the short term but its long term future remained uncertain.

Brunel had already surveyed a route to take the South Devon line on from Exeter to Plymouth. This crossed the Teign and Dart estuaries on massive viaducts and then passed through the South Hams. However, when the time came for construction to start in 1844, the expense of the viaducts persuaded him to consider an alternative. This was the familiar line on which we travel today with its severe gradients between Newton Abbot and Totnes and again at Rattery and Hemerdon where it climbs into the Dartmoor foothills. These have taxed locomotives ever since the line was opened.

Doubts over the power of the locomotives of the 1840s led to the adoption of the 'atmospheric' system for traction on the line. This involved the laying of 15inch pipe between the rails. It had a continuous slot in its upper surface which was closed by a metal flap hinged with leather. The leading vehicle of the train carried a vertical plate which ran through the slot and supported a piston fitting in the pipe. Stationary pumping engines were built at about three mile intervals along the track. When a train was expected pumping commenced to produce a partial vacuum in front of the piston so that it was driven forward by the atmospheric pressure behind it, taking the train with it. A complex series of rollers opened and closed the slot as the train moved. It was claimed with some justification that the system would allow the line to be built with steeper gradients and tighter curves than those required for locomotives. While the system had theoretical advantages and indeed worked fairly successfully on the Exeter-Newton Abbot section for a few months in 1847 it soon became apparent that certain practical problems were virtually insoluble. When it was discovered that the leather hinges were wearing out far more quickly than had been anticipated the end had come. Brunel was obliged to cut his losses, locomotives were hired from the GWR and the system was abandoned at huge expense to the Company. Until the railway reached Plymouth Brunel provided his services at no charge.

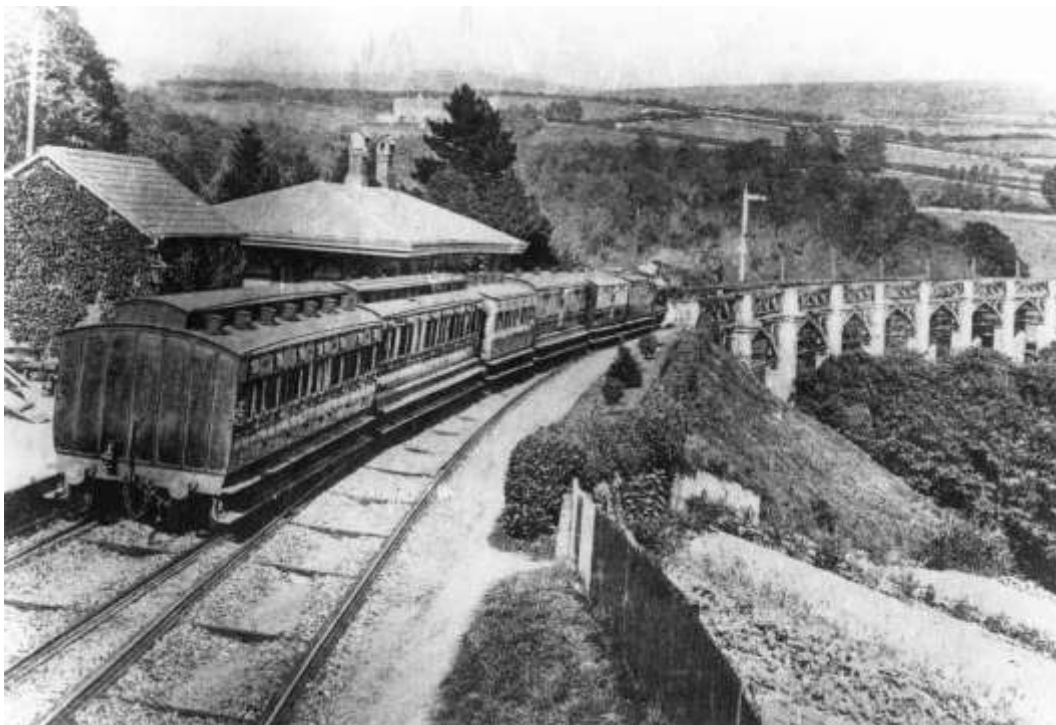


*Diagram illustrating the working of the atmospheric system.
Presumably some form of protection was eventually provided for the driver!*

The Dartmoor section encountered a number of narrow, steep sided valleys cut by the streams draining the moor. To save money Brunel crossed these by timber viaducts supported on masonry columns. When it became clear that the atmospheric trains would have to be replaced by heavier locomotives and coaches the viaducts were reinforced by trussed timber parapets above the main frames. However, they still survived until the 1890s when they were replaced by the present stone structures.

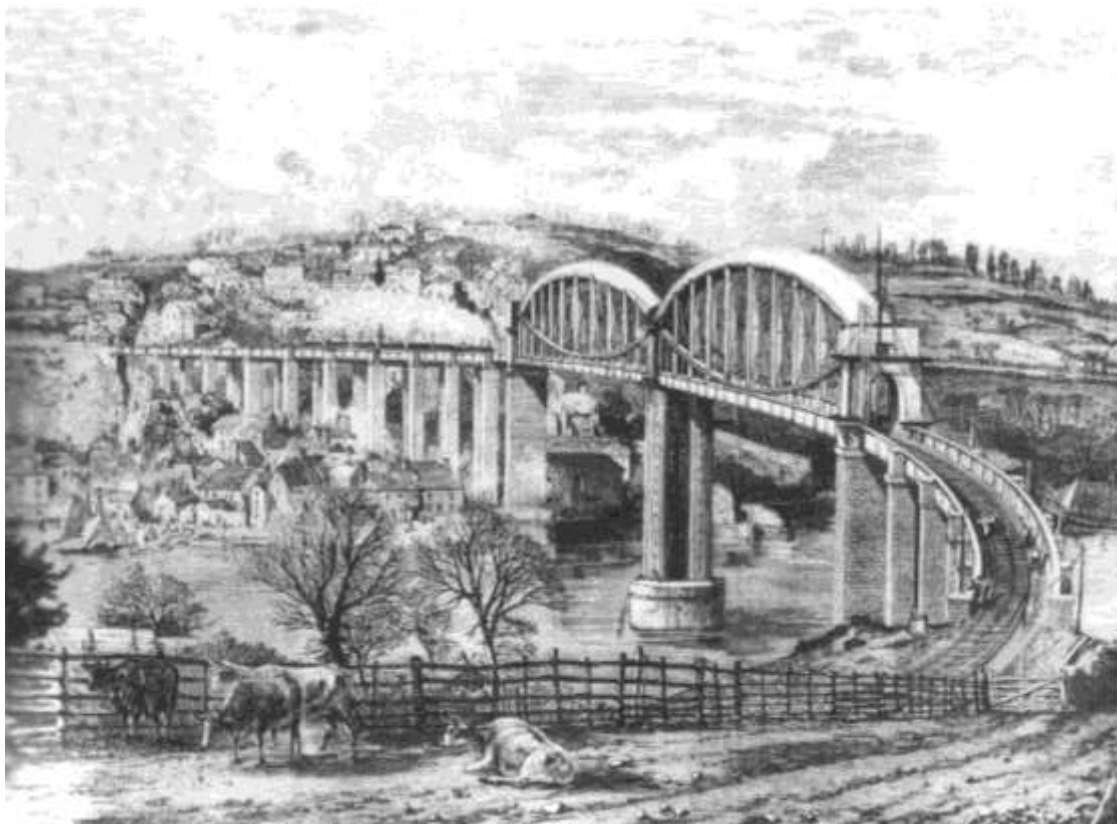
The South Devon Railway arrived at Totnes in July 1847 and at a temporary Plymouth terminus at Laira in May of the following year. The definitive Plymouth terminus at Millbay was opened in April 1849. The Plymouth Pavilions were recently built on the disused station's site. At last the railway had arrived in the South Hams. The only intermediate station between Totnes and Plymouth which was ready in time for the opening was at Wrangaton and this was soon renamed Kingsbridge Road. Horse drawn coaches connected it to Kingsbridge using the roads which had been improved by the Kingsbridge, Dartmouth, Modbury and Salcombe Turnpike Trust in the 1830s and '40s.

The South Devon Railway opened its first branch line to Torre station on the outskirts of Torquay in December 1848. Thereafter its energies were devoted to survival. No dividend was paid until 1851 when things began to improve, helped by the introduction of excursion trains. Arrangements were made to replace the locomotives hired from the GWR with others from a cheaper source. No more branch lines were built by the South Devon; instead it concentrated on gradually doubling its main line though it never succeeded in completing this task while it remained independent. In the 1860s it eventually managed to buy its engines from the contractor and, by this time, it was also supplying the motive power for the Cornwall Railway and those branch lines connected to it which had been built by small independent companies. Newton Abbot thus became the principal locomotive depot of the South West.



Eastbound broad gauge train about to cross Ivybridge Viaduct in the late 1880s

The Cornwall Railway from Plymouth to Truro obtained its Act in 1846 but was not opened to traffic until 1859. Its first engineer was dilatory and was replaced by Brunel who was responsible for the definitive survey. The greatest obstacle to be overcome was the Tamar, but there were also numerous other narrow valleys on the chosen route similar to those already encountered in South Devon. Timber sufficed for the latter but in view of the requirements of the Admiralty, Brunel was obliged to use metal at Saltash. The resulting structure, the Royal Albert Bridge, is undoubtedly a masterpiece. This is not the place to discuss it in detail. It is enough to record that it still stands today virtually unaltered and remains in fine condition, a tribute to its designer and the wrought iron from which its principal components were made. Sadly, Brunel's deteriorating health made it impossible for him to attend the formal opening ceremony. He was taken across on an open truck a few weeks before his premature death on 15 September 1859, at the early age of 53.



The Royal Albert Bridge. A contemporary drawing for the Illustrated London News

Had Brunel not died when he did it seems likely that South Devon would have had a more coherent railway system than that which eventually evolved. The Dartmouth and Torbay Railway was not incorporated until nine years after the opening of the South Devon's Torre branch. The line to Paignton was opened in 1859 and Churston, originally named Brixham Road, was reached in 1861. Then the House of Lords caused a further delay by rejecting a plan to take the railway over the river into Dartmouth itself. That town eventually had to settle for a ferry and not trains to its station when the terminus of Kingswear was finally reached in 1864. Brixham gained its own branch line in 1868.

It was the turn of Kingsbridge on 22 October 1858 when a "large and influential meeting" was held in the town hall attended by "most of the landowners and clergy with almost every businessman in town". From the report in the the Kingsbridge Gazette we learn that this was not the first of such occasions. A Kingsbridge railway had been mooted as early as 1845. This time the chair was taken by Lord Courtenay who had arranged for a preliminary survey to be undertaken by a Mr Dymond who had already had some experience with the Exeter and Crediton railway. From his description it appears that he planned to follow a route similar to the one eventually taken by the GWR's Kingsbridge Branch with the exception of the junction with the main line. This was to be to the west of Brent rather than the east. Kingsbridge station was to be sited near the toll gate on the West Alvington turnpike giving "easy access to the quays and convenient for extending the line to Salcombe". While the majority of those present accepted the short link from the South Devon line near South Brent others favoured a more direct route to Plymouth leaving the main line at Plympton and passing through Modbury, Kingsbridge and Torcross to reach a terminus in Dartmouth. However, a committee selected from the South Brent faction was appointed, and promises made for the take up of shares to the value of about £4000.

At first the Gazette's reports show good progress in the matter of the railway. Early in November we learn that application was to be made for an Act of Parliament to incorporate a Kingsbridge and South Devon Railway (ie implying a link between the town of Kingsbridge and the South Devon line). By December local enthusiasm had waned a little. Lord Courtenay saw fit to remind a meeting that without a railway "Kingsbridge would be shut out from the world". Things looked better again by March when it appeared that "a contract for the railway had been entered into for £90,000". However, the end was not far away.

On 8 July 1859 the Gazette reported that the Parliamentary Committee had thrown out the bill for the railway probably on the grounds that no more than £10,000 worth of shares had been taken up. There was opposition too from Dartmouth and Torquay on the grounds that the Kingsbridge and Salcombe district would take some of the growing holiday trade from them if communications were improved. By the autumn plans were being made for the winding up of the company. A resolution was carried to the effect that "the plans, maps, etc., prepared for the line should be deposited with the secretary, Mr J.H. Square, for future use".

The advocates of the more extensive system now moved rapidly. In the late autumn of 1859 the proposed Plymouth and South Hams Railway gave notice that it would be applying to Parliament for an Act of Incorporation. This line was to leave the South Devon "at or near the Plympton station of that railway" and proceed through numerous listed parishes in the general direction of Modbury, Kingsbridge and Slapton. The terminus was to be "at the River Dart, at or near the Floating Bridge Tavern, occupied by John Bricknell, in the said parish of Townstall". In addition, a branch railway was proposed from a junction "with the said intended Railway in the Parish of West Alvington, at or near a field belonging to Maria Juliana Weymouth" leading to Salcombe. It was to terminate at Salcombe Harbour," at or near the Custom House Quay, with power to construct a Wharf or Landing-place in the said Harbour, at the termination of the said Branch Railway at Salcombe aforesaid". It appears that nothing concrete came of this proposal either, lack of local funding again being the key issue.

The next important meeting in Kingsbridge was held on 10 January 1864 and reported in the Gazette on 14 January. The rival railway plans were again discussed when it was disclosed that while the short and direct line to Brent was now costed at about £120,000, the more extensive South Hams system could cost as much as £500,000. In addition, the longer route included a number of severe gradients and that estimates for the proposed Dart viaduct ranged from £80,000 to £185,000. The need for local capital was again emphasised. Salcombe was not forgotten. Mr Balkwill, in support of an extension to the south commented that while ".... Kingsbridge and Dodbrook are man and wife, Salcombe is their oldest child". The meeting concluded that the Brent line would be the best for the town and a fresh company was soon floated.

The new Kingsbridge and Salcombe Railway received parliamentary approval on 29 July 1864 but little happened and a further Act was required in 1866 before construction could begin. A number of deviations from the first plan had been found to be necessary. Eventually the contractor, a Mr Chambers, started work on 24 July 1867. In August a foundation stone for the first bridge over the Avon was laid with some ceremony, but thereafter progress slowed and by early 1871 the Company was applying to the Board of Trade for the abandonment of the work. A number of other proposals were put forward over the next few years but came to nothing. Only in 1876 did the situation change for the better when, on 1 February, the South Devon Railway merged with the GWR. The GWR had already taken over the running of the Bristol and Exeter and amalgamated with it on 1 August 1876.

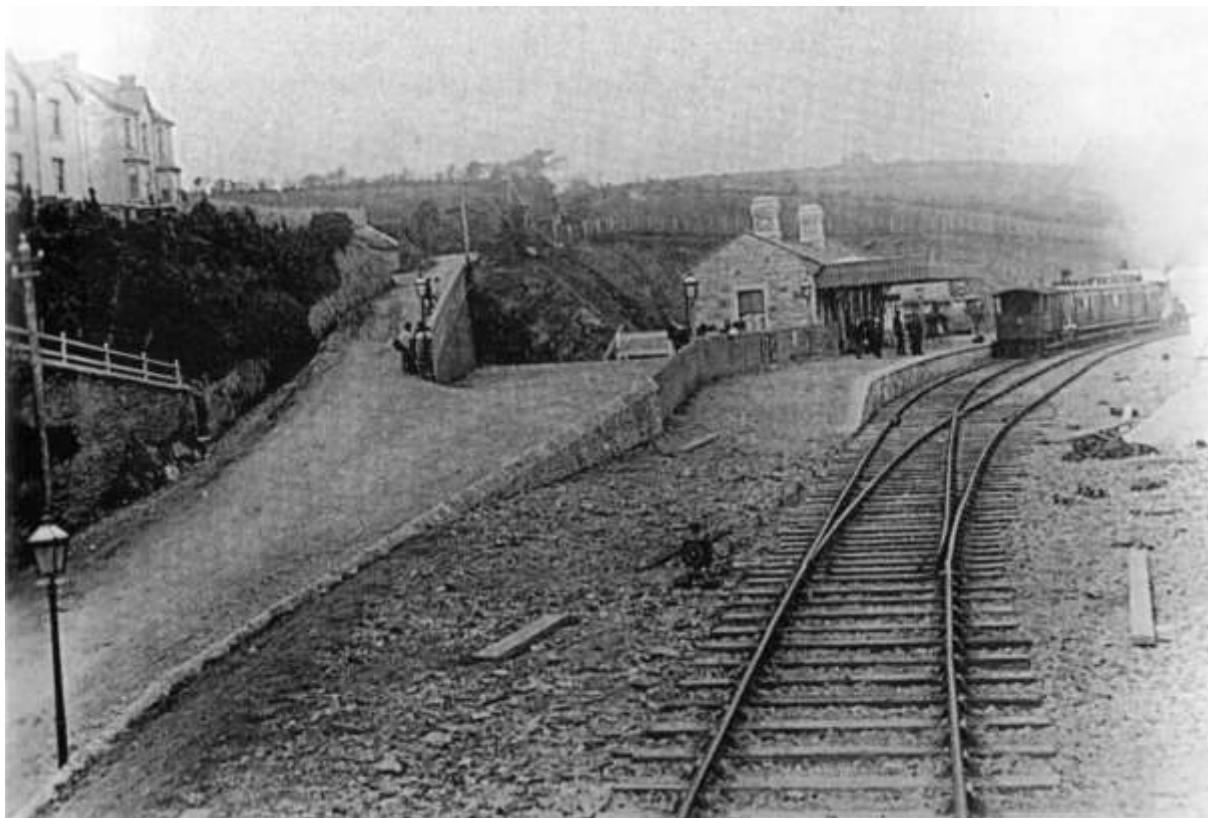
It might be expected that following these events Kingsbridge and Salcombe would soon get their railway. Kingsbridge did, but not until 1893. The Salcombe extension was never built. While the new greater Great Western Railway was anxious to maximise traffic on its tracks and to use branch lines to further this aim, it had other pre-occupations following the amalgamations. The broad gauge tracks had gradually extended to the far South West, but in other Great Western territory, particularly in the West Midlands where certain narrow gauge railways had been taken over, another solution had to be found. The cost of conversion to broad gauge being prohibitive it had proved necessary to add a third rail to the broad gauge tracks to allow narrow gauge trains to access London's Paddington Station.

Just as the early critics of the broad gauge had claimed, through running had proved to be essential and, as the narrow gauge had always had the greater mileage, the broad gauge would have to go. The mileage of 'mixed' gauge track was gradually increased as a temporary, if expensive, solution to the problem. With Brunel's death the broad gauge had lost its strongest advocate. The need for its eventual demise was reluctantly accepted by the GWR's management in about 1860, but it was not until 20 May 1892 that the last broad gauge Paddington to Penzance express ran. During the following weekend the remaining broad gauge tracks between Exeter and Truro were narrowed. Little would have been gained by the opening of the Kingsbridge branch before this final abolition of the broad gauge.

Meanwhile occasional meetings in Kingsbridge to try to drive the railway project forward were reported in the Gazette. Eventually in July 1882 yet another Kingsbridge and Salcombe Railway Company was set up incorporating the various Acts of 1863 and 1866 and repealing other less relevant ones. It was agreed that the GWR would work the line, which was to extend to Salcombe with a terminus at Ilbertstow Point (now Snapes Point) from where a new road

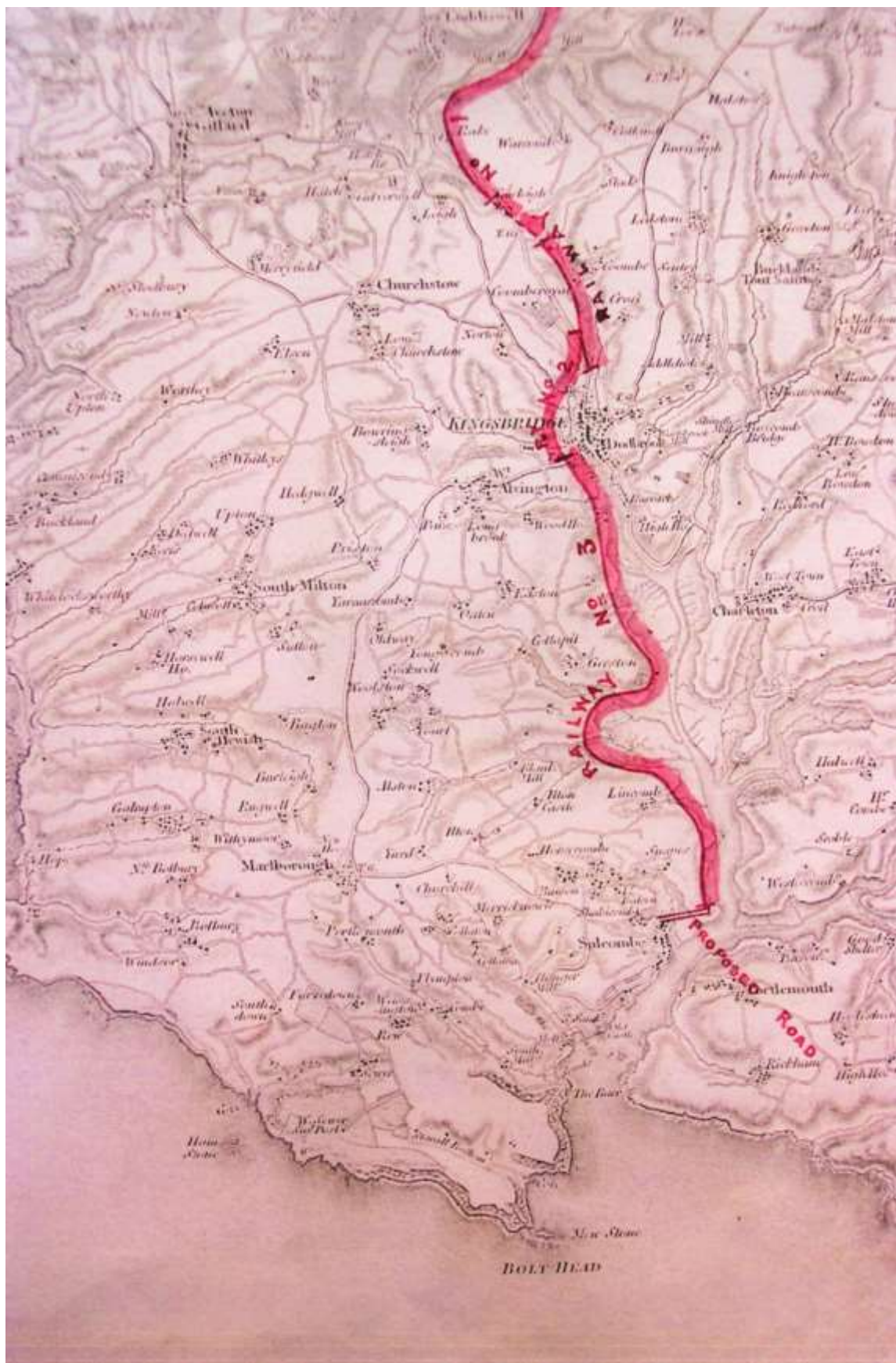
would lead into the town. As had happened with all earlier projects, money was still very slow to come in; by July 1883 no more than £1500 worth of shares had been applied for. The Earl of Devon, one of the directors, had met members of the Board of the GWR but no capital was forthcoming from that source. Potential contractors came and went, but as the Company still lacked a secure financial base, construction could not begin.

After very lengthy negotiations between the Company and the GWR it was agreed that the latter should purchase the local concern and build the railway itself. Then there was argument about the price to be paid. It seems that the title to certain sections of the proposed track bed was not secure which led to further delay. However, on June 13 1888 at a special general meeting the Kingsbridge and Salcombe Company was dissolved and its assets transferred to the Great Western Railway. It still took another five years before the branch line was opened to Kingsbridge and, as mentioned above, it never arrived in Salcombe at all. The official opening ceremony was held on 19 December 1893 when a lengthy train load of dignitaries arrived in Kingsbridge behind two tank locomotives. A photograph of Kingsbridge station taken the following spring clearly shows the track running on past the single platform at an appropriate level to cross West Alvington hill on a skewed bridge and continue on to Salcombe.



Kingsbridge Station in 1894

It is interesting to speculate why the extension to Salcombe was never built. The Kingsbridge line was certainly costly. While the estimate was £180,000 for 12 1/2 miles of track, no record



1882 plan for the Kingsbridge- Salcombe Railway. The 'Salcombe Extension' is Railway No. 3. Larger scale plans are reproduced in the Appendix.

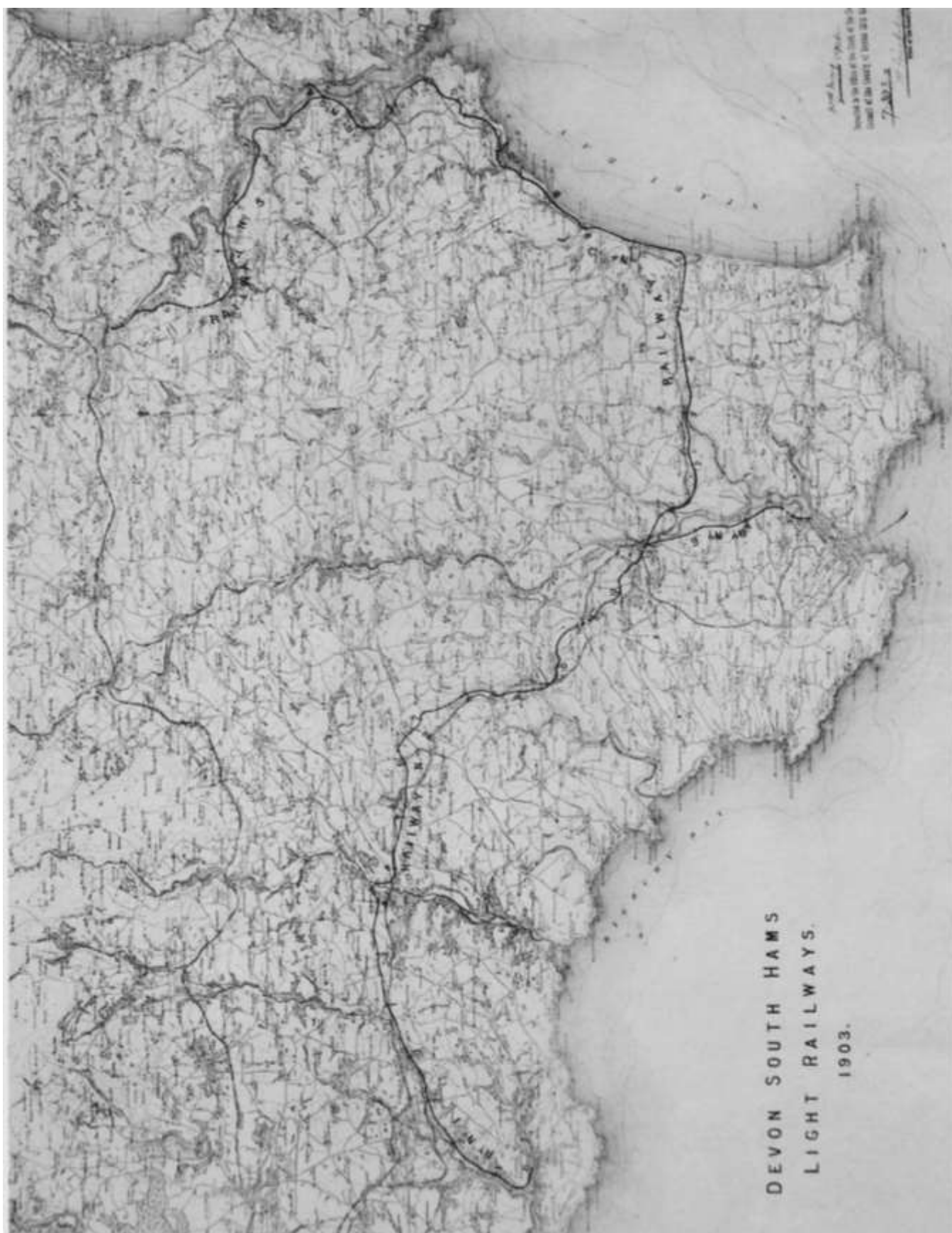
of the sums actually disbursed appears to be available. Ten bridges crossing the Avon were needed together with numerous others for the roads. Substantial earthworks were necessary on the descent from Brent to the Avon valley and also where the line left the valley to climb over the watershed and then descend again to Kingsbridge station. Sorley tunnel at the summit of the watershed was 625 yards long and the contractor had considerable trouble with water ingress during its construction. The station buildings were built to the usual high GWR standard and the line was fully signalled with substantial boxes at the crossing point, Gara Bridge, and at the Kingsbridge terminus. About this time too the directors of the GWR were questioned at an annual meeting of the company about the spending of shareholders' money on branch lines to insignificant towns, another reason perhaps for the lack of progress on the Salcombe line.

The plan shows that the extension was to be taken along the western side of the estuary without significant gradients but encountering tidal water in at least five places. In three of these embankments could have been built but the crossings of Collapit and Blanksmill Creeks would have required bridges of some length. The site chosen for the terminal station on Snapes Point is restricted and the area of level ground limited. Massive earthworks would have been necessary here. The road connecting this station to the town crossed water through which a right of navigation would have had to be maintained, presumably by a swing bridge.

It does not seem unreasonable to assume that most of the potential rail traffic from the Salcombe area would be able to make its way to the Kingsbridge railhead either by road or river steamer. The Kingsbridge Gazette reported as early as 15 December 1893 that "Mr H.W. Thomas of the Kings Arms Hotel has arranged to run a conveyance regularly between Kingsbridge and Salcombe in connection with the train service at such times as the Dart steamer will not serve". The fact that it would be quicker and more convenient for Salcombe people and their merchandise to take a train from their own town rather than first having to travel to Kingsbridge would be of little import to the railway company as long as the traffic eventually took the train. The GWR made things as easy as possible for its customers by introducing its own buses on the route when reliable machines became available.

The company had first experimented with buses in West Cornwall in 1903 when demands were made for the extension of its Helston branch to the Lizard. The then chairman had commented that the success or otherwise of such a bus service would allow an accurate assessment of demand to be made. If the buses were little used, they could be moved elsewhere until a place could be found where they could earn their living. Railway owned buses were introduced on the Salcombe-Kingsbridge run in July 1909 and soon proved their worth. It was not long before the Kingsbridge railhead was also served by bus routes to other local destinations. Later the GWR opened a booking office in Salcombe's Fore Street for the convenience of its passengers and the receipt of parcels for dispatch by rail.

Another set of plans showing a railway to Salcombe is also preserved in the Record Office in Exeter (see appendix). These illustrate the final and most extensive proposal of the advocates of a full South Hams railway system. The Devon South Hams Railway obtained its Act in 1900



and the plans are dated 1903. They depict a massive system starting at Newton Ferrers in the far South West of Devon and wandering through the district towards Totnes. It was to be a 'light railway' built to a gauge of 3 feet, apart from a standard gauge (4 feet 8 1/2 inches) branch connecting it, via a viaduct, to the GWR's Kingswear line.

From Newton Ferrers the line follows the creek to Yealmpton where it passes close to the terminal station of the GWR's branch to that town which had been opened in 1898. The line then continues eastward to Modbury, Aveton Gifford and Churchstow, where a short tunnel passes under the village centre. The next station is at Kingsbridge, adjacent to the terminus of the GWR branch on its western side. The line then passes through another tunnel before emerging on the west bank of the estuary where a junction is situated. The 'main line' bridges the water and continues to Torcross. It then strikes north towards Dartmouth and terminates at Totnes Quay adjacent to the GWR's Totnes Quay branch.

A branch (railway no. 6) leaves the 'main line' in the area of Tacket Wood south of Kingsbridge and takes an almost straight course to Salcombe crossing the wide bay on the estuary's west side presumably on a wooden piled bridge or an embankment. It then passes under the neck of Snapes point in a tunnel, crosses Batson Creek and follows the Salcombe waterfront "terminating at a point about 3 chains to the south east of the Town Pier in the harbour of Salcombe".

Finally, we must think about the likely consequences on town and countryside had either railway actually been built. Suppose building had continued without interruption after the opening to Kingsbridge. Sometime in 1894 or 1895 the GWR representatives would have arrived by special train at a neatly built stone railway station on Snapes Point to be greeted by the local gentry and people. They might have been met by primitive buses but more likely by a number of decorated horse drawn vehicles in which the short journey down the new road would have been made. The usual speeches, feasting and drinking would have followed. Whether the possession of its own station would have affected the town itself and its population must be uncertain. Some employment would have been provided by the presence of the GWR but the business of the carriers to Kingsbridge station would have disappeared. The number of visitors the town could attract was influenced more by the limited hotel accommodation at that time rather than travel difficulties.

However, what is certain is that the environment would have suffered greatly from the physical presence of a railway station with its inevitable ancillary structures on Snapes Point. The busy road connecting it to the town and the bridge over Batson Creek would also have been unsightly and would have probably been followed by ribbon development along it with houses built on the south western slopes of Snapes. The quietness of the upper part of the Estuary would have been spoilt by train noises and the bridges over the creeks and across Lincombe Bay would have been obstructions to navigation. However, one gain today's residents and visitors would have enjoyed would be the Salcombe-Kingsbridge cycle path which by now would have been built on the alignment of a railway closed by Dr Beeching in 1963. Many years ago Salcombe Station would have been converted into a desirable residence to match the fine building on the opposite shore on Scoble Point.

With hindsight it seems incredible that the second of our two railway proposals, that promoted in 1903, should have come about at all. A little work was even started in 1905 in the Newton Ferrers - Yealmpton area before the company collapsed. The notion that a new narrow gauge light railway could possibly succeed when motor vehicles were already present in some number on our roads is utterly unrealistic. The incompatibility of the gauge selected with that of the GWR Kingsbridge Branch would have required all passengers from the main line at Brent to change again at Kingsbridge. All freight would have had to be manhandled from one vehicle to another at the Kingsbridge interchange.

While the extension of the GWR's Kingsbridge branch to Salcombe would have adversely affected the environment, if the light railway had been constructed it would have been a disaster for town and countryside. The only favourable part of the scheme is that Snapes largely escapes as the line tunnels under the narrowest part of the neck of the peninsula. The planned route takes the railway almost straight from Tacket Wood to the east side of Snapes. It crosses that part of the estuary known as 'Widegates' from Gerston Point to Heath Point, a distance of over half a mile, presumably by a timber trestle viaduct. The line emerges from the Snapes tunnel opposite the present fish quay, and then takes a wide curve across Batson Creek to arrive at the Salcombe shore at the east end of Island Street. It then runs along the seaward side of the town's waterfront, presumably on a newly constructed quay to a terminus by the pier. Imagine the effect of this on property values! Surely we should all be grateful that the railway never came to Salcombe.

APPENDIX

Railway plans held in the Devon Record Office, photographed by kind permission and edited by Jane Bass

1882 plans: Railway no.1 ran from the GWR main line at Brent to the top of Kingsbridge. The short railway no.2 continued the line around the town on an embankment behind the present supermarket to end at the station now almost hidden in the industrial estate. Railway no.3 was the Salcombe extension.

1903 plans: The railway was divided into five sections numbered from west to east. The Salcombe Branch was railway no. 6. The impact the railway would have had on estuary and town is clearly shown on the large scale sectional drawings. In the light of the £180,000 cost of the GWR Brent-Kingsbridge branch, the estimates seem very optimistic. While there was much of general interest in the detailed clauses of the Act it was clearly not practicable to photograph them all. The references on the one page which is included here make very interesting reading.

KINGSBRIDGE AND SALCOMBE

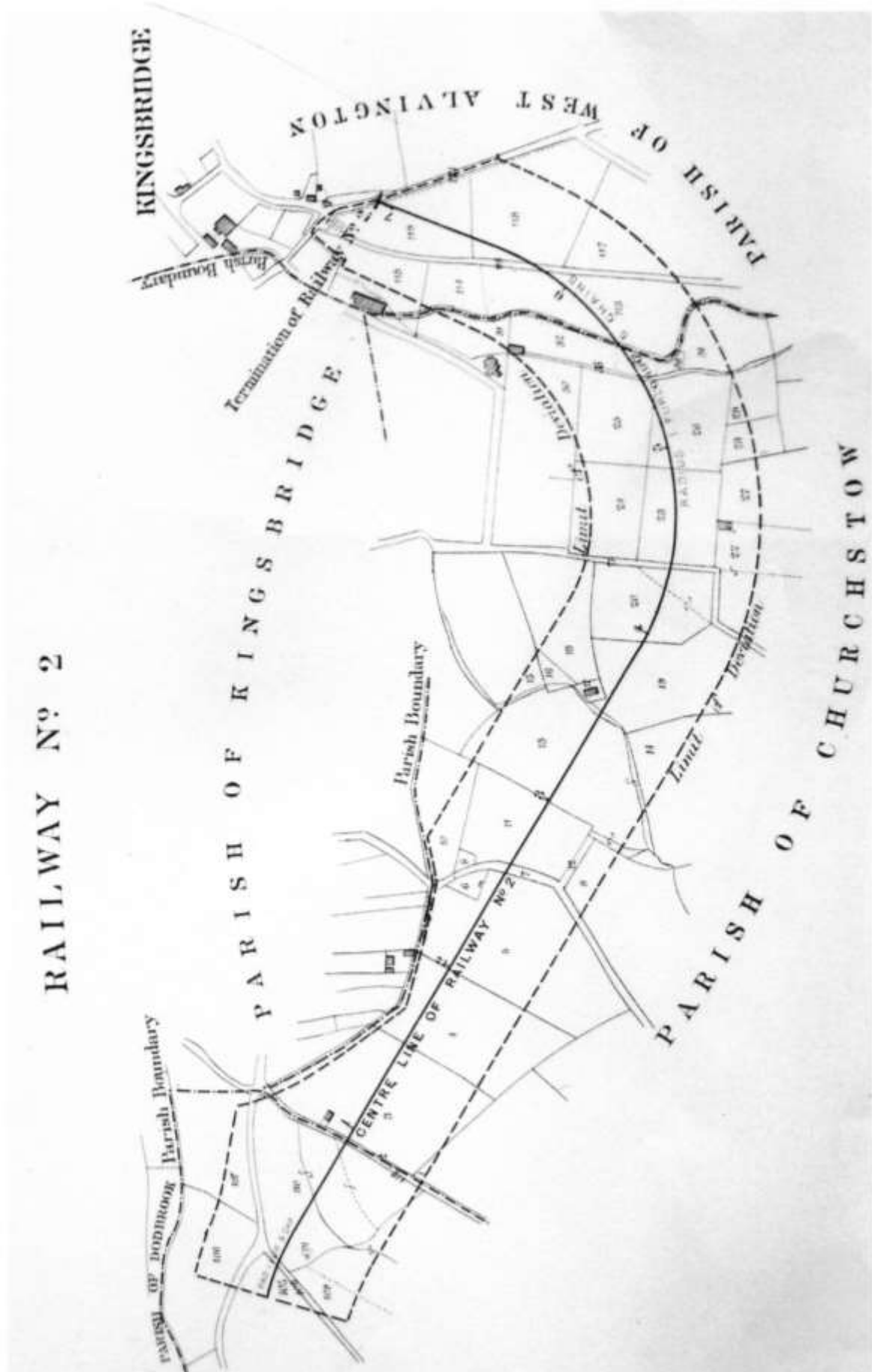
RAILWAYS.

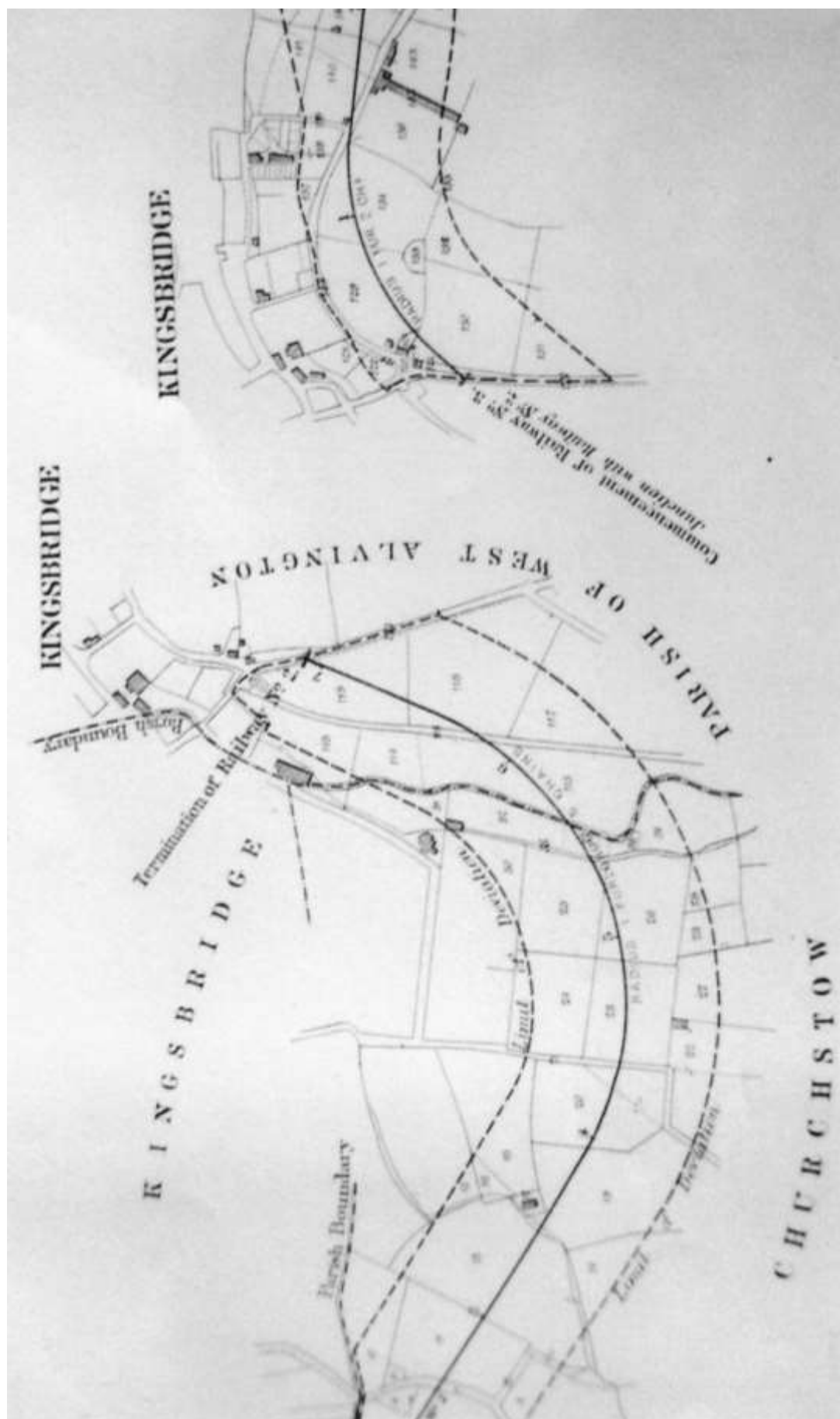
PLANS AND SECTIONS.

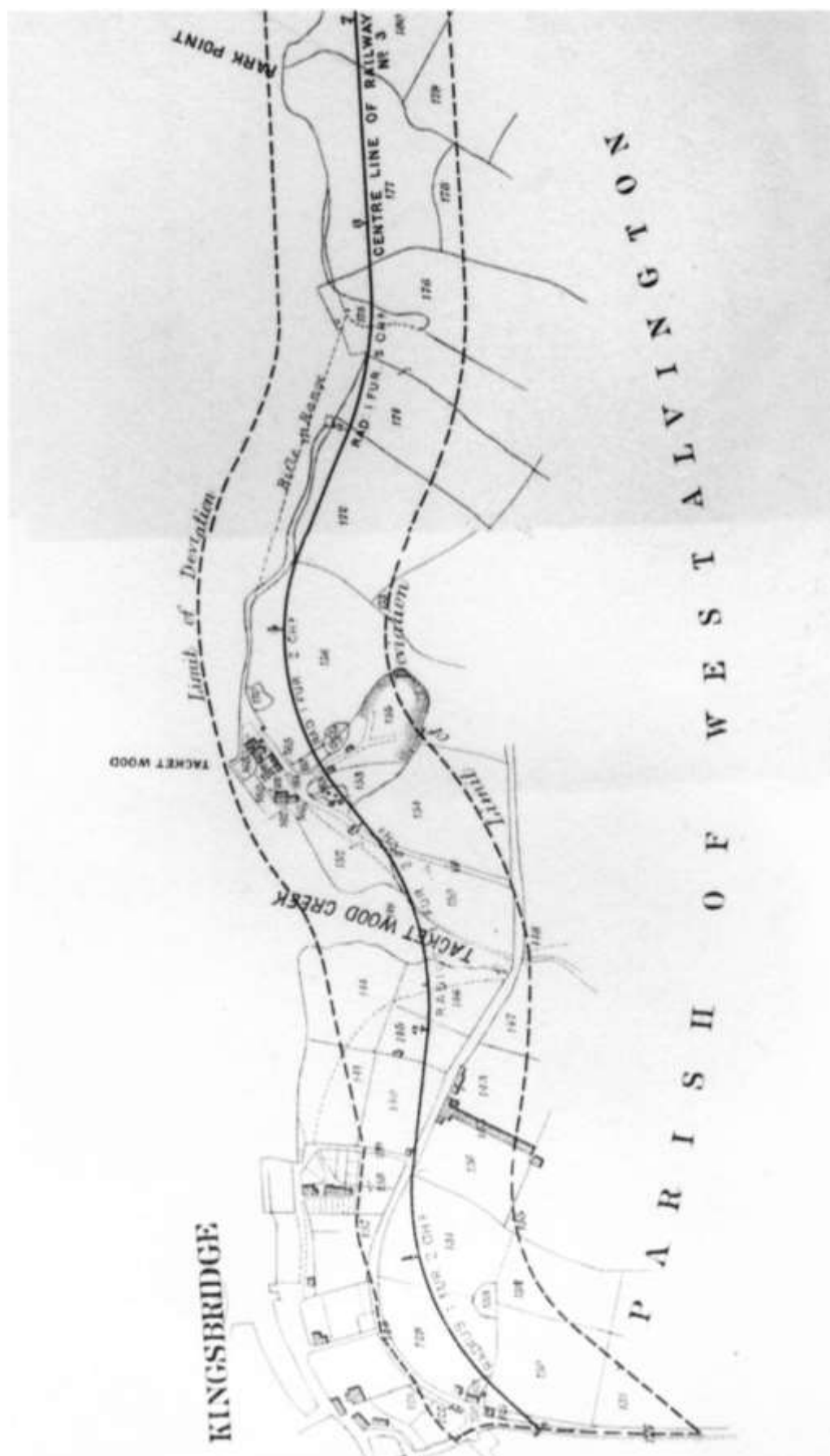
SESSION 1882.

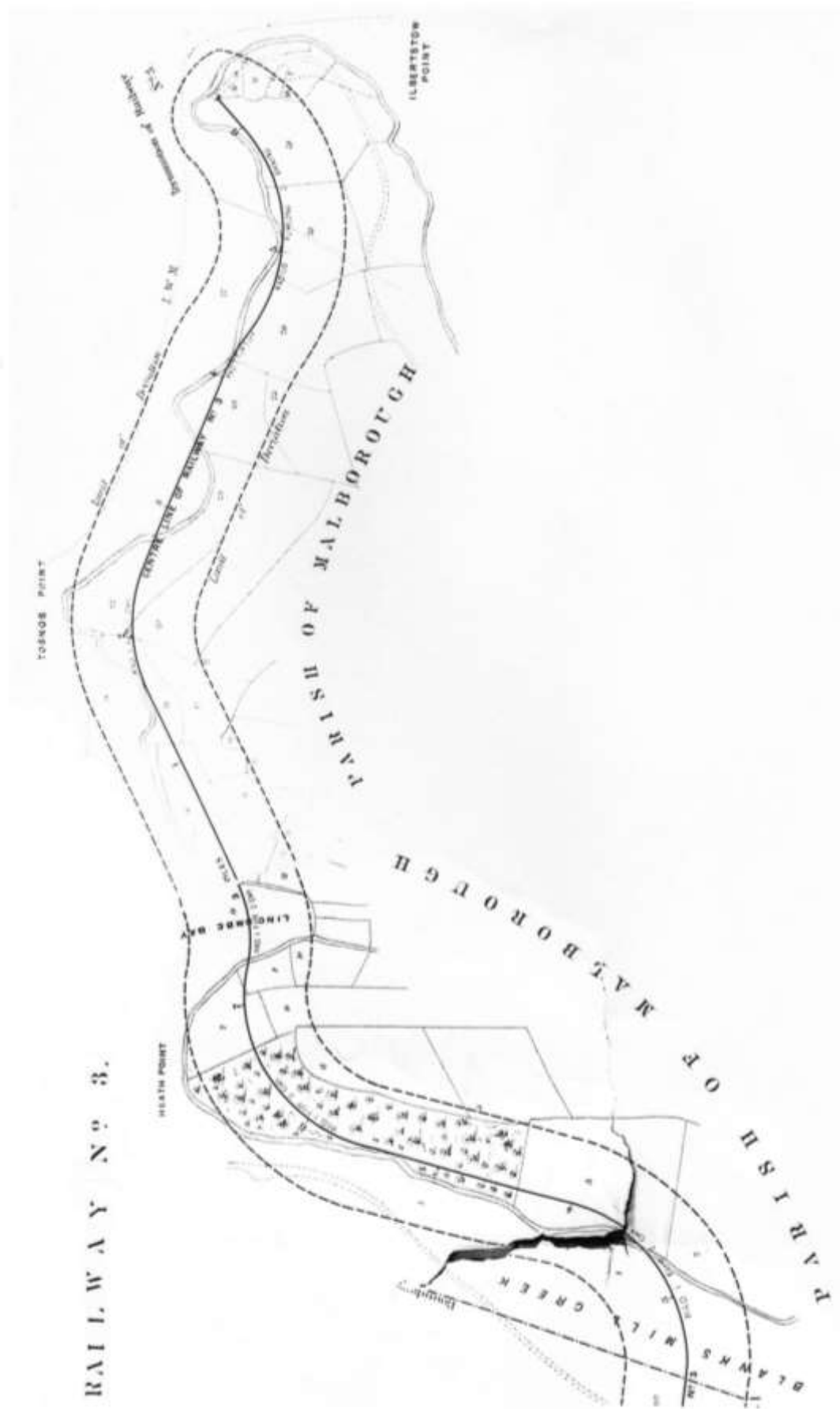
FRANCIS WILLIAM FOX, } ENGINEERS.
AND }
WILLIAM LIDSTONE,

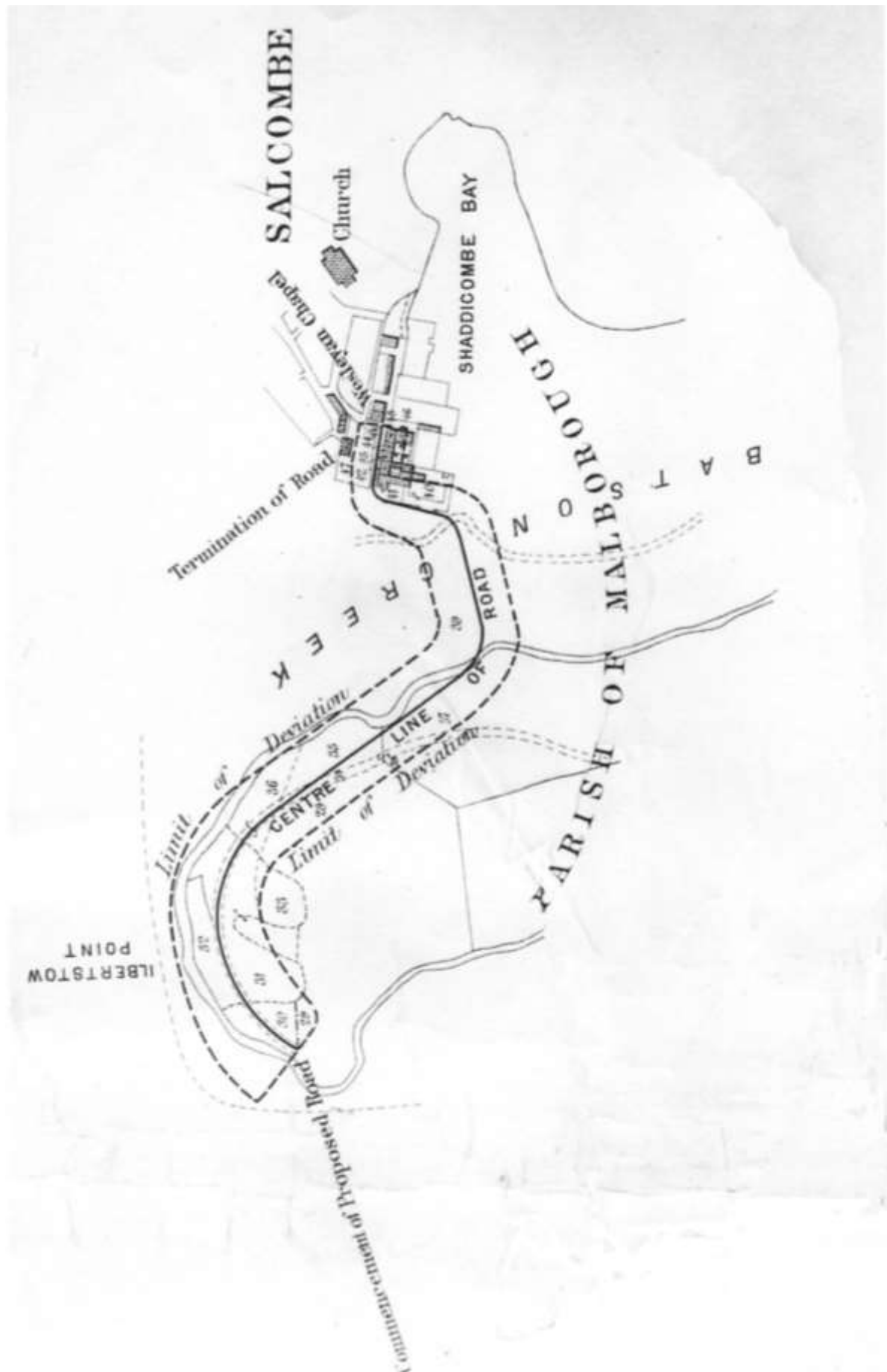
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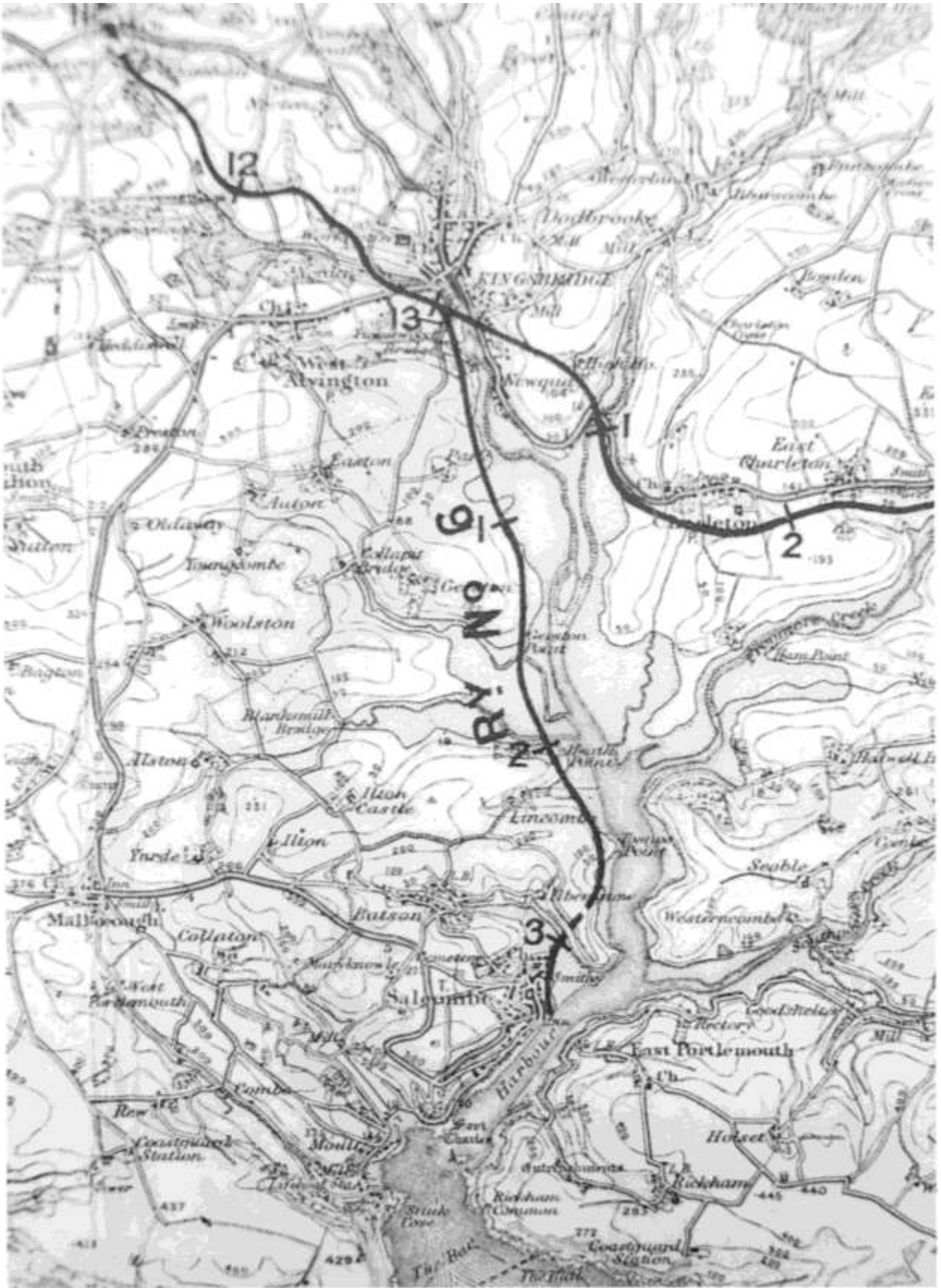


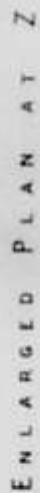
DEVON SOUTH HAMPS

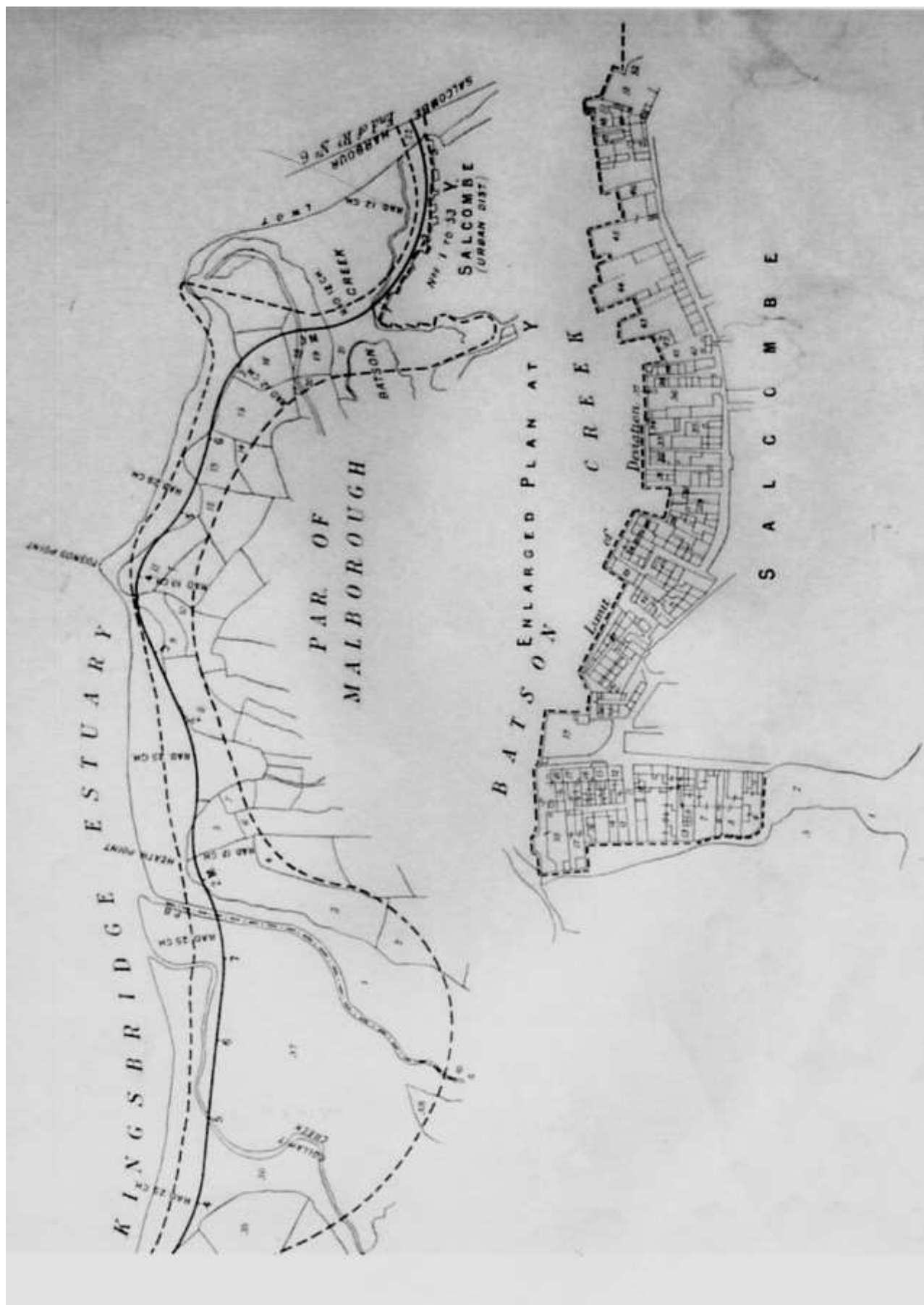
LIGHT RAILWAYS

Plans and Sections

MAY 1903







Estimate of the Proposed Light Railways.

SUMMARY.

							£	s.	d.
Railway No. 1	...	...	...	...	...	...	13,991	17	0
Railway No. 2	...	...	...	...	...	...	85,861	16	0
Railway No. 3	...	...	...	...	...	...	109,163	10	0
Railway No. 4	...	...	...	...	...	...	75,551	0	0
Railway No. 5	...	...	...	...	...	...	50,664	6	0
Railway No. 6	...	...	...	...	...	...	16,531	0	0
Grand Total	...						£351,763	9	0

J. W. BARBER,
Engineer.

29 May, 1903.

33.—(1) The Company shall not under the powers of this Order purchase or acquire in any borough or other urban district nor elsewhere than in an urban district in any parish ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers nor except with the consent of the Local Government Board ten or more houses which were not on the said fifteenth day of December but subsequently have been so occupied.

Restriction on taking houses of labouring class.

(2) If the Company purchase or acquire any house under the provisions of this Order in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and any sum so recovered shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the Court may if it thinks fit reduce such penalty.

(3) For the purposes of this section the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them and the expression "house" means any house or part of a house occupied as a separate dwelling.

34. The Company may by agreement purchase and acquire for any of the extraordinary purposes specified in The Railway Clauses Consolidation Act 1845 connected with the railways and works by this Order authorised such lands as they may require and may sell or dispose of any such lands not required for such purposes. Provided that they shall not at any time hold for such purposes more than 20 acres of land and that nothing in this Order shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land acquired by them under this section.

Lands for extraordinary purposes.