



ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 115.

An Act for making and maintaining certain Railways, to communicate with the *Monmouthshire* Canal Navigation; and for enabling the Company of Proprietors of that Navigation to raise a further Sum of Money to complete their Undertaking; and for explaining and amending the Acts passed in the Thirty-second and Thirty-seventh Years of His present Majesty's Reign, relating thereto.

[26th June 1802.]

WHEREAS by an Act, passed in the Thirty-second Year of His present Majesty's Reign, intituled, *An Act for making and maintaining a Navigable Cut or Canal from or from some Place near Pontnewynydd, into the River Usk, at or near the Town of Newport, and a Collateral Cut or Canal from the same, at or near a Place called Cryndau Farm, to or near to Crumlin Bridge, all in the County of Monmouth; and for making and maintaining Railways or Stone Roads from such Cuts or Canals, to several Iron Works and Mines in the Counties of Monmouth and Brecknock, certain Persons therein named and described, were incorporated by the Name of *The Company of Proprietors of the Monmouthshire Canal Navigation*, and were authorized and empowered to make and maintain the Navigable Canals mentioned in the Title*

[*Loc. & Per.*]

23 N

of

32 Geo. 3.

37 Geo. 3.

of the said Act, and the several Railways in the said Act specified, from such Canals to certain Iron Works in the Counties of *Monmouth* and *Brecknock*, and also such and so many other Railways, from any of the said Canals and Railways in the said Act specified, to any other Iron Works then or thereafter to be established, or to any Limestone Quarries or Coal Mines within the Distance of Eight Miles therefrom, as the said Company should think proper; and to erect and make such Wharfs, Quays, Landing Places, and other Works and Conveniencies as should be thought requisite, and to do all Acts necessary for those Purposes; and by another Act, passed in the Thirty-seventh Year of His present Majesty's Reign, intituled, *An Act for extending the Monmouthshire Canal Navigation, and for explaining and amending an Act, passed in the Thirty-second Year of the Reign of His present Majesty, for making the said Canal*, the said Company of Proprietors were empowered, under certain Conditions, to make and maintain a Navigable Canal from the Termination of the Canal made in pursuance of the First Act, on the North Side of the *Pill* adjoining the Town of *Newport*, towards a Place called *Pill Gwnelly*, (in the said Act by Mistake called *Pingwelly*), at the Distance of about a Mile and a Half therefrom, and to make such Wharfs, Quays, Landing Places, and other Conveniencies, adjoining or near thereto, as might be requisite, and to do all Acts necessary for those Purposes: And whereas the said Company of Proprietors of the *Monmouthshire* Canal Navigation have made considerable Progress in the Execution of the said Acts, and have raised and contributed amongst themselves the several Sums of Money which by the said Acts they were empowered to raise for the Purposes aforesaid to the Amount in the Whole of Two hundred and twenty-four thousand three hundred and eighty-five Pounds; and the said Company find that a further Sum of Money is wanted to enable them to complete their Undertaking, and to discharge the Debts incurred by them: And whereas it is expedient that a Railway or Tramroad should be made from *Sirhowy* Furnaces in the Parish of *Bedwelty*, in the County of *Monmouth*, along by certain extensive Iron Works projected and now erecting in the same Parish, and intended to be called *Tredegar Iron Works*, through *Tredegar* Park, to communicate with the Canal belonging to the said Company of Proprietors of the *Monmouthshire* Canal Navigation, and the River *Ussk*, at or near the Town of *Newport*, together with certain Branches of Railway or Tramroad from and out of the said last mentioned Railway or Tramroad, to other Places; and *Samuel Homfray*, *Richard Fothergill*, *Matthew Monkhouse*, *William Thompson*, and *William Forman*, Iron Masters, and intended Lessees of *Tredegar* Iron Works, have proposed to the said Company to undertake the making, at their own Expence, of so much of the said proposed Railway or Tramroad from *Sirhowy* Furnaces, as shall reach from thence down to a Point called *The Nine Mile Point*, being Nine Miles from some Part of the Lands of *John Jones* Esquire, lying near *Pill Gwnelly* aforesaid, upon having the Benefit of the Tolls to arise thereon; and *Sir Charles Morgan* of *Tredegar*, Baronet, hath proposed to the said Company to undertake the making, at his own Expence, of One Mile of the said Railway or Tramroad, through and adjoining to *Tredegar* Park, now belonging to him, upon having the Benefit of the Tolls to arise thereon; and the said Company are willing to undertake the making of the Remainder of the said Railway or Tramroad: And

whereas

whereas it is expedient that the said recited Acts of the Thirty-second and Thirty-seventh Years of the Reign of His present Majesty, should be explained and amended; but as the several Purposes before mentioned cannot be effectually carried into Execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said *Samuel Homfray, Richard Fothergill, Matthew Monkbouse, William Thompson, and William Forman*, and their respective Executors or Administrators, or such of them as shall from Time to Time be possessed of any Share or Shares in the Railway or Tramroad to be made by them, and all such other Person or Persons as shall from Time to Time be possessed of any Share or Shares therein, shall be and they are hereby accordingly united into a Company, for the making and maintaining of the Railway or Tramroad first herein-after authorized to be made, and shall for that Purpose be One Body Politick and Corporate, by the Name of *The Sirhowy Tramroad Company*, and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and shall have full Power and Authority to purchase Lands, Tenements, and Hereditaments, to them and their Successors, for the Use of the said Undertaking, and also to sell and dispose of any of the Lands, Tenements, or Hereditaments to be purchased by them, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain; and that it shall be lawful for the said *Sirhowy Tramroad Company*, and they are hereby fully authorized and empowered, from and after the passing of this Act, by themselves or their Agents, Workmen, or Servants, to make and for ever thereafter maintain a proper and sufficient Railway or Tramroad, for the Conveyance of Iron, Coals, Limestone, and other Commodities, in Waggons or Carriages properly constructed for the Purpose, from *Sirhowy Furnaces or Iron Works*, in the Parish of *Bedwelty* in the County of *Monmouth*, along by *Tredegar Iron Works*, down to the Point called *The Nine Mile Point*, at the Distance of Nine Miles from some Part of the Lands of *John Jones Esquire*, lying near *Pill Gwnelly* aforesaid, together with all such Collateral Roads as Turns-out, and all such Landing Places, Resting Places, Fences, and other Conveniencies, by the Side of or adjoining to such Railway or Tramroad respectively, as they shall find necessary or expedient for facilitating the Carriage and Conveyance of Goods thereon, and for repairing, preserving, maintaining, and using the same respectively, and for the Purposes aforesaid, to have, use, exercise, and enjoy such and the like Ways, Passages, Powers, and Authorities, upon, in, and over the Lands through which such Railway or Tramroad shall be made, in as full, ample, and beneficial Manner, to all Intents and Purposes, as the said Company of Proprietors of the *Monmouthshire Canal Navigation* are authorized and empowered to have, use, exercise, and enjoy, under and by virtue of the said first mentioned Act, with respect to the said Canals, Railways, and other Works thereby authorized to be made.

II. And be it further enacted, That it shall be lawful for the said Company of Proprietors of the *Monmouthshire Canal Navigation*, and they are hereby fully authorized and empowered, from and after the passing of

Company of
Proprietors
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make other
of

Part of intended Railways

of this Act, by themselves or their Agents, Workmen or Servants, to make, and for ever thereafter maintain a proper and sufficient Railway or Tramroad, for the Conveyance of Iron, Coals, Limestone, and other Commodities, in Waggon or Carriages properly constructed for the Purpose, from the said Point called *The Nine Mile Point*, down to another Point which hath been agreed upon between them and the aforesaid Sir *Charles Morgan*, on the West Side of *Tredegar Park*, and a like Railway or Tramroad from a Point also agreed upon for that Purpose between them and the said Sir *Charles Morgan*, on the East Side of *Tredegar Park*, (the intermediate Space being One Mile), down to and so as to communicate with the *Monmouthshire Canal Navigation* and the River *Ush*, at or near the Town of *Newport*; and a like Railway or Tramroad branching off from the said intended Railway or Tramroad, between the *Nine Mile Point* and *Tredegar Park*, at or near a Place called *Risca*, upwards, unto and so as to communicate with the present Railway at *Crumlin* in the said County of *Monmouth*; and a like Railway or Tramroad, branching off from the said intended Railway or Tramroad between *Tredegar Park* and *Newport*, at or near *Court y Billa Farm*, to some Part of the Lands of *John Jones Esquire*, lying near *Pill-Gwnelly* aforesaid on the River *Ush*, below the Town of *Newport*, together with such other Branches of Railway or Tramroad from and out of the said intended Way or Road between *Tredegar Park* and *Newport*, as may be found expedient, unto the different Wharfs which may be made between the said *Pill* and the Town of *Newport*; and with all such Collateral Roads as Turns-out, and all such Landing Places, Resting Places, Fences, and other Conveniencies, by the Side of or adjoining to such intended Railways or Tramroads respectively, as the same Company shall find necessary or expedient for facilitating the Carriage and Conveyance of Goods thereon, and for repairing, preserving, maintaining, and using the same respectively, and for the Purposes aforesaid, to have, use, exercise, and enjoy such and the like Ways, Passages, Powers, and Authorities, upon, in, and over the Lands through which such Railways or Tramroads shall be made, in as full, ample, and beneficial a Manner, to all Intents and Purposes as the said Company are authorized and empowered to have, use, exercise, and enjoy, under and by virtue of the said first mentioned Act, with respect to the said Canals, Railways, and other Works thereby authorized to be made.

Clauses and Provisions of the former Acts extended to the Railways and Works authorized by this Act, etc.

III. And be it further enacted, That the said *Sirhowy Tramroad Company* and the said Company of Proprietors of the *Monmouthshire Canal Navigation*, and their respective Agents, Workmen, and Servants, and all Bodies Politick, Corporate, and Collegiate, Corporations Aggregate and Sole, Tenants for Life or in Tail, or for any other partial Estate or Interest in Possession, Husbands, Guardians, Trustees, and Feoffees in Trust for Charities and other Purposes, Committees, Executors, and Administrators, and all other Trustees, and also the Commissioners appointed and to be appointed by and in pursuance of the said first mentioned Act, and all other Persons whatsoever, shall have and be seized and possessed of, and are hereby respectively invested with such and the like Estates, Authorities, Powers, Abilities, Interests, Privileges, and Advantages, and shall be and are hereby made subject and liable to such and the like Rules, Conditions, Directions, Regulations, Limitations, Restrictions,

tions, Payments, Penalties, Forfeitures, Punishments, and Benefit of Appeal, with respect to the said Railways or Tramroads, and other Works hereby authorized to be made and maintained by the said *Sirhowy* Tramroad Company, and by the said Company of Proprietors of the *Monmouthshire* Canal Navigation respectively as aforesaid, and to the Purchase and Sale of Lands and other Hereditaments, and the Conveyance of Lands and other Hereditaments to the said Companies respectively for the Purposes aforesaid, and to all other Matters and Things in anywise relating thereto, as are mentioned, given, granted, prescribed, established, and inflicted, in and by the said first mentioned Act, with respect to the said Canals, Railways, and other Works thereby authorized to be made and carried on, to all Intents and Purposes whatsoever, as far as the same respectively are or shall be applicable, and not repealed, altered, re-enacted, or otherwise provided for; in and by this present Act; and that the said *Sirhowy* Tramroad Company, and the said Company of Proprietors of the *Monmouthshire* Canal Navigation respectively, shall and may demand, take, and receive such and the like Rates, Tolls, and Duties, for the Tonnage of Iron, Coals, Limestone, and other Commodities carried and conveyed on the said Railways or Tramroads hereby authorized to be made by them respectively, as the said Company of Proprietors of the *Monmouthshire* Canal Navigation are by the said first mentioned Act authorized and empowered to demand, take, and receive for the Tonnage and Wharfage of the like Articles carried and conveyed on the said Canals and Railways thereby authorized to be made; save and except as herein-after is otherwise provided and directed; and shall respectively have such and the like Powers and Remedies for recovering the Rates, Tolls, and Duties hereby authorized to be demanded and taken, as are given by the said first mentioned Act, for recovering the Rates, Tolls, and Duties therein mentioned; and that the said first mentioned Act, and the several Clauses, Powers, Authorities, Regulations, Limitations, Exemptions, Restrictions, Privileges, Penalties, Forfeitures, Punishments, and Provisions therein contained and mentioned, shall, so far as the same will apply, and the Nature and Circumstances of the Case will admit, and so far as the same are not repealed, altered, re-enacted, or otherwise provided for, in and by this present Act, extend, and are hereby extended to the said Railways or Tramroads, and other Works hereby authorized to be made by the said *Sirhowy* Tramroad Company, and by the said Company of Proprietors of the *Monmouthshire* Canal Navigation respectively, and shall take Effect, operate, and be put in Execution, and shall be used and exercised by the same Companies respectively, and their respective Agents, Workmen, and Servants, and shall be applied and enforced in, by, and for and in respect of the making, completing, repairing, preserving, maintaining, and using the said Railways or Tramroads, and other Works hereby authorized to be made by them respectively, and for regulating the Carriage or Conveyance of Goods thereon, and for the Punishment of Offences relating thereto, and for the purchasing, selling, and conveying of Lands, Tenements, and Hereditaments, and ascertaining the Value thereof, and for the determining and assessing of Damages, as well as with respect to all other Matters and Things whatsoever in anywise touching or concerning the said Railways or Tramroads, and other Works hereby authorized to be made by the said Companies respectively, in such and the same Manner, in all Respects, as fully and effectually to all Intents and Purposes, as if the same Clauses, Powers, Authorities, Regulations, Limitations, Exemptions, Restrictions, Privileges,

leges, Penalties, Forfeitures, Punishments, and Provisions, had been inserted, repeated, and enacted at full Length in and by this present Act, and been hereby made applicable to the said *Sirhowy* Tramroad Company, as well as to the said Company of Proprietors of the *Monmouthshire* Canal Navigation, and as if the said Railways or Tramroads, and other Works hereby authorized to be made by the said last mentioned Company, had been authorized to be made by them in and by the said first mentioned Act, or been Part of the Railways and other Works thereby authorized to be made by them, and as if the said Railway or Tramroad, and other Works hereby authorized to be made by the said *Sirhowy* Tramroad Company, had been Part of the Railways and other Works authorized to be made by the said first mentioned Act, and the said *Sirhowy* Tramroad Company had been therein named and authorized to make the same in the Stead and Place of the said Company of Proprietors of the *Monmouthshire* Canal Navigation.

But Houses, Buildings, Gardens, &c. not to be taken or injured, except those mentioned in Schedule annexed.

IV. Provided always, and be it further enacted, That nothing hereinbefore contained shall extend to authorize the said *Sirhowy* Tramroad Company, or the said Company of Proprietors of the *Monmouthshire* Canal Navigation, to take, use, damage, or injure any House or other Building, or any Ground, which, upon the Twenty-ninth Day of *September* One thousand eight hundred and one, was the Scite of any House or other Building, or a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, or a Lawn or Pleasure Ground inclosed or adjoining to a House, without the Consent of the respective Owners and Occupiers thereof, other than and except the several Houses, Buildings, Gardens, Orchards, Yards, and Grounds specified in the Schedule hereunto annexed; and also except such Gardens, Orchards, and Yards, not specified in the said Schedule, as belong to any Cottages or Tenements under the yearly Value of Six Pounds.

Sir Charles Morgan and Owners of *Tredegar* Park empowered to make intended Railway through the Park

V. And be it further enacted, That it shall be lawful for the said Sir *Charles Morgan*, and the Person or Persons who shall from Time to Time after him be seised of or entitled to *Tredegar* Park aforesaid, and he and they is and are hereby respectively authorized and required, at his or their own proper Costs and Charges, to make and for ever thereafter maintain a proper and sufficient Railway or Tramroad, for the Conveyance of Iron, Coals, Limestone, and other Commodities, in Waggons or Carriages properly constructed for the Purpose, through *Tredegar* Park, between the said Two Points on the West and East Sides thereof, agreed upon by the said Sir *Charles Morgan* and the said Company of Proprietors of the *Monmouthshire* Canal Navigation as aforesaid, so as to communicate with, and of the same Width and Dimensions as the Railways or Tramroads to be made by the same Company to and from those Points respectively, together with all such Collateral Roads as Turns-out, and other Conveniencies as shall be found necessary or expedient for facilitating the Carriage or Conveyance of Goods thereon, and for repairing, preserving, and using the same; and that the said Sir *Charles Morgan*, and the Person or Persons for the Time being seised or entitled as aforesaid, shall have and be vested with all such Powers and Authorities for making and maintaining the said Railway or Tramroad through *Tredegar* Park as shall be necessary for that Purpose; and that it shall be lawful for the said Sir *Charles Morgan*, and the Person or Persons for the Time being seised or entitled

as aforesaid, from Time to Time to ask, demand, take, and receive, to and for his and their own proper Use and Benefit, for the Tonnage of all Iron, Coals, Limestone, and other Commodities whatsoever which shall be carried and conveyed upon the said Railway or Tramroad, to be made and maintained by him and them as aforesaid, such Rates, Tolls, and Duties as he and they shall from Time to Time think proper, so that the same do not at any Time exceed the Rates, Tolls, and Duties which the said Company of Proprietors of the *Monmouthshire* Canal Navigation shall at the same Time demand and take by virtue of this Act, for the Tonnage of the same or the like Articles, upon the said Railways or Tramroads to be made by them West and East of *Tredegar* Park as aforesaid; and that the said Rates, Tolls, and Duties which shall from Time to Time be payable to the said Sir *Charles Morgan*, or the Person or Persons for the Time being seised or entitled as aforesaid, shall be paid to such Person or Persons, and at such convenient Place or Places, as he or they shall appoint; and that he and they shall have such and the same Powers and Remedies for recovering such Rates, Tolls, and Duties, as are by this and the said first herein-before mentioned Act given to the said Company of Proprietors of the *Monmouthshire* Canal Navigation, for recovering the Rates, Tolls, and Duties by this and the said former Act authorized to be demanded and taken by them; and that subject to the Payment of such Rates, Tolls, and Duties as aforesaid, to the said Sir *Charles Morgan*, or the Person or Persons for the Time being seised or entitled as aforesaid, all Persons shall have free Liberty with Waggons or Carriages, properly constructed, to use the said Railway or Tramroad so to be made through *Tredegar* Park as aforesaid, in such and the same Manner as any other of the Railways or Tramroads to be made in pursuance of this Act; and that all Persons using the said Railway or Tramroad through *Tredegar* Park, shall be subject and liable to such and the same or the like Rules, Orders, and Regulations, as they will be subject and liable to upon any other of the Railways or Tramroads to be made in pursuance of this Act, so far as the same shall be applicable; and that the said Sir *Charles Morgan*, or the Person or Persons for the Time being seised or entitled as aforesaid, shall have the Benefit of all Clauses, Matters, and Things, contained in this and the said first mentioned Act, which would have been applicable to the said Railway or Tramroad through *Tredegar* Park, in case the same had been Part of the Railways and Tramroads hereby authorized to be made by the said Company of Proprietors of the *Monmouthshire* Canal Navigation, and as fully and effectually as the same Company would in such Case have had the Benefit and Advantage thereof; and that all Fines, Penalties, and Forfeitures to be incurred for any Matter or Thing to be done to or upon the said Railway or Tramroad through *Tredegar* Park, and which would have gone to the said Company of Proprietors of the *Monmouthshire* Canal Navigation, in case such Railway or Tramroad had been Part of those authorized to be made by them, shall go and be paid to him the said Sir *Charles Morgan*, or the Person or Persons for the Time being seised or entitled as aforesaid: Provided always, that no Person, other than such as shall necessarily attend such Waggons or Carriages as aforesaid, shall have Liberty to use or travel on the said Railway or Tramroad through *Tredegar* Park without the Consent of the said Sir *Charles Morgan*, or the Owner or Owners of *Tredegar* Park for the Time being.

VI. And

Time limited
for making Sir
Charles Mor-
gan's and the
Sirhowy Com-
pany's Parts of
intended
Railways.

VI. And be it further enacted, That the said Railway or Tramroad hereby directed to be made through *Tredegar* Park, by the said Sir *Charles Morgan*, or the Person or Persons for the Time being seized or entitled as aforesaid, shall be made and completed fit for Use by the Twenty-ninth Day of *September* One thousand eight hundred and three; and that the said Railway or Tramroad hereby authorized to be made by the said *Sirhowy* Tramroad Company, from *Sirhowy* Furnaces down to the Nine Mile Point aforesaid, shall be made and completed fit for Use by the Twenty-ninth Day of *September* One thousand eight hundred and three, provided the said Railways or Tramroads to be made by the said Company of Proprietors of the *Monmouthshire* Canal Navigation as aforesaid, shall be then made fit for Use; and that if either of the said last mentioned Railways or Tramroads shall not be so made and completed within those Times respectively, then, and in such Case, it shall be lawful for the said Company of Proprietors of the *Monmouthshire* Canal Navigation, to make and complete so much of the same Railways or Tramroads respectively, as shall not be so made and completed as aforesaid, and to exercise all Powers for that Purpose, in such and the same Manner as if the same had been Part of the Railways or Tramroads hereby authorized to be originally made by them; and that so much of the said Railways or Tramroads as shall be so made or completed by the said Company of Proprietors of the *Monmouthshire* Canal Navigation, shall from thenceforth be absolutely vested in the same Company, with all Rights, Privileges, Powers, and Authorities, belonging or incidental thereto, and shall be deemed and taken as Part of the Railways or Tramroads hereby authorized to be originally made by them, to all Intents and Purposes whatsoever.

Time limited
for making the
Canal Com-
pany's Part of
Railways.

VII. And be it further enacted, That the said Railways or Tramroads hereby authorized to be made by the said Company of Proprietors of the *Monmouthshire* Canal Navigation, from the Nine Mile Point aforesaid to the West Side of *Tredegar* Park, and from the East Side of *Tredegar* Park to the River *Usk*, shall be made and completed fit for Use, and so as to afford a Communication by such Ways or Roads between the said Nine Mile Point and the River *Usk*, by the Twenty-ninth Day of *September* One thousand eight hundred and three; and that the said Railway or Tramroad through *Tredegar* Park, if the same shall fall or come to be completed by the said last mentioned Company, by virtue of the Clause next herein-before contained, shall be made and completed fit for Use by the Twenty-ninth Day of *November* One thousand eight hundred and three; and that if either of the said Railways or Tramroads shall not be so made and completed within that Time, then and in such Case, it shall be lawful for the said *Sirhowy* Tramroad Company to make and complete so much and such Part thereof respectively as shall not be so made and completed as aforesaid, and to exercise all Powers for that Purpose, in such and the same Manner as if the same had been Part of the Railway or Tramroad hereby authorized to be originally made by them; and that so much of the said Railways or Tramroads as shall be so made or completed by the said *Sirhowy* Tramroad Company, shall from thenceforth be absolutely vested in the same Company, with all Rights, Privileges, Powers, and Authorities, belonging or incidental thereto, and shall be deemed and taken as Part of the Railway or Tramroad

road hereby authorized to be originally made by them, to all Intents and Purposes whatsoever.

VIII. And be it further enacted, That if any Part of the Railway or Tramroad to be made by the said *Sirhowy* Tramroad Company, between *Sirhowy* Furnaces and the River *Ufk*, under the Powers herein-before given, shall at any Time or Times hereafter be out of Repair, and shall not be properly and effectually repaired within the Space of Three Days after Notice in Writing thereof shall be given, by the principal Clerk of the said Company of Proprietors of the *Monmouthshire* Canal Navigation, to the principal Clerk of the said *Sirhowy* Tramroad Company, at his Office or Place of Residence, then and in every such Case, it shall be lawful for the said Company of Proprietors of the *Monmouthshire* Canal Navigation, to cause the same to be properly and effectually repaired; and in case the Costs and Charges of such Repairs shall not be repaid to the said Company of Proprietors of the *Monmouthshire* Canal Navigation, within Three Calendar Months after Notice thereof in Writing, with the Particulars of such Costs and Charges, shall be so given as aforesaid, then it shall be lawful for the said Company of Proprietors of the *Monmouthshire* Canal Navigation, to demand, receive, and take the Tolls, Rates, and Duties arising upon the Railway or Tramroad belonging to the said *Sirhowy* Tramroad Company, and they are hereby vested with all necessary Powers for demanding, receiving, and recovering the same, until they shall be thereby or otherwise fully reimbursed and satisfied the Amount of such Costs and Charges, together with all Damages and Expences occasioned by the Non-payment thereof within the Time aforesaid; or otherwise the said Company of Proprietors of the *Monmouthshire* Canal Navigation shall and may recover such Costs, Charges, Damages, and Expences, by Action at Law, in any of His Majesty's Courts of Record at *Westminster*, with full Costs of Suit.

For enforcing
Repairs of the
Sirhowy
Company's
Part of
Railways.

IX. And be it further enacted, That if any Part of the Railways or Tramroads to be made by the said Company of Proprietors of the *Monmouthshire* Canal Navigation, between *Sirhowy* Furnaces and the River *Ufk*, under the Powers herein-before given, shall at any Time or Times hereafter be out of Repair, and shall not be properly and effectually repaired within the Space of Three Days after Notice in Writing thereof shall be given, by the principal Clerk of the said *Sirhowy* Tramroad Company, to the principal Clerk of the said Company of Proprietors of the *Monmouthshire* Canal Navigation, then, and in every such Case, it shall be lawful for the said *Sirhowy* Tramroad Company to cause the same to be properly and effectually repaired; and in case the Costs and Charges of such Repairs shall not be repaid to the said *Sirhowy* Tramroad Company within Three Calendar Months after Notice in Writing thereof, with the Particulars of such Costs and Charges, shall be so given as last mentioned, then it shall be lawful for the said *Sirhowy* Tramroad Company to demand, receive, and take the Tolls, Rates, and Duties, arising upon the said Railways or Tramroads belonging to the said Company of Proprietors of the *Monmouthshire* Canal Navigation, and they are hereby vested with all necessary Powers for demanding, receiving, and recovering the same, until they shall be thereby or otherwise fully reimbursed and satisfied the Amount of such Costs and Charges, together with all Damages and Expences occasioned by the Non-payment thereof within

For enforcing
Repairs of
Monmouthshire
Canal Com-
pany's Part of
Railways.

the Time aforesaid; or otherwise the said *Sirhowy* Tramroad Company shall and may recover such Costs, Charges, Damages, and Expences, by Action at Law in any of His Majesty's Courts of Record at *Westminster*, with full Costs of Suit.

For enforcing
Repairs of
Railway
through *Tre-*
degar Park.

X. And be it further enacted, That if any Part of the Railway or Tramroad to be made by the said *Sir Charles Morgan*, or the Person or Persons for the Time being seised or entitled of or to *Tredegar* Park as aforesaid, shall at any Time or Times hereafter be out of Repair, and shall not be properly and effectually repaired within Three Days after Notice in Writing thereof shall be given by the principal Clerk of the said Company of Proprietors of the *Monmouthshire* Canal Navigation, or by the principal Clerk of the said *Sirhowy* Tramroad Company, to the said *Sir Charles Morgan*, or the Person or Persons seised or entitled as aforesaid, or the Guardian or Guardians of such Person or Persons, in case of Infancy, or be left at his or their usual or last known Place of Abode, then and in every such Case it shall be lawful for the said Company of Proprietors of the *Monmouthshire* Canal Navigation, or for the said *Sirhowy* Tramroad Company, to cause the same to be properly and effectually repaired; and in case the Costs and Charges of such Repairs shall not be repaid to the Company expending or sustaining the same, within Three Calendar Months after Notice in Writing thereof, with the Particulars of the same, shall be so given or left as last mentioned, then it shall be lawful for such Company to demand, receive, and take the Tolls, Rates, and Duties arising upon the Railway or Tramroad belonging to the said *Sir Charles Morgan*, or the Person or Persons seised or entitled as aforesaid, and they are hereby vested with all necessary Powers for demanding, receiving, and recovering the same, until they shall be thereby or otherwise fully reimbursed and satisfied the Amount of such Costs and Charges, together with all Damages and Expences occasioned by the Non-payment thereof within the Time aforesaid; or otherwise the said Company shall and may recover such Costs, Charges, Damages, and Expences, by Action at Law in any of His Majesty's Courts of Record at *Westminster*, with full Costs of Suit.

Samuel Hom-
fray and others
authorized to
make Rail-
ways to *Treuil*
Limestone
Quarry,
and the Union
Iron Works
in *Rumney*.

XI. And be it further enacted, That it shall be lawful for the said *Samuel Homfray*, *Richard Fothergill*, *Matthew Monkhouse*, *William Thompson*, and *William Forman*, their Executors, Administrators, and Assigns, and they are hereby respectively authorized and empowered, to make and maintain a Railway or Tramroad, with the Consent of the Most Noble *Henry Duke of Beaufort*, or his Heirs, but not without, branching off from the said Railway or Tramroad herein-before authorized to be made by the said *Sirhowy* Tramroad Company, at or near *Tredegar* Iron Works, unto the Limestone Rock or Quarry at *Treuil*, in the Parish of *Llan-gunider*, in the County of *Brecknock*, and also a Railway or Tramroad branching off from the same at or near *Nantybroch*, unto the Iron Works called *The Union Iron Works*, in *Rumney*, in the same Parish, together with such Collateral Roads as Turns-out, and other Conveniencies on the Sides thereof, as shall be found expedient; and for those Purposes to have, use, exercise, and enjoy the like Ways, Passages, Powers, and Authorities, upon, in, and over the Lands through which such Railways or Tramroads shall be made, as the said *Sirhowy* Tramroad Company are hereby authorized to have, use, exercise, and enjoy for the making and
maintaining

maintaining of the Railway or Tramroad and other Works hereby authorized to be made by them; and that it shall be lawful for the said *Samuel Homfray, Richard Fothergill, Matthew Monkhouse, William Thompson, and William Forman*, their Executors, Administrators, and Assigns, to ask, demand, take, and receive, to and for their own proper Use and Benefit, for the Tonnage of all Iron, Coals, Limestone, and other Commodities, which shall be carried upon the said Railways or Tramroads so to be made by them as aforesaid, such Rates, Tolls, and Duties, as they shall from Time to Time think proper, so that the same do not exceed the Rates, Tolls, and Duties, which shall from Time to Time be demanded and taken, by virtue of this Act, for the Tonnage of the like Articles upon that Part of the Railways or Tramroads to be made by the said Company of Proprietors of the *Monmouthshire Canal Navigation*; and that the said *Samuel Homfray, Richard Fothergill, Matthew Monkhouse, William Thompson, and William Forman*, their Executors, Administrators, and Assigns, shall have such and the same Powers and Remedies for recovering such Rates, Tolls, and Duties, as are by this and the said first herein-before recited Act, given to the said Company of Proprietors of the *Monmouthshire Canal Navigation* for recovering the Rates, Tolls, and Duties authorized to be demanded and taken by them; and that, subject to the Payment of such Rates, Tolls, and Duties as aforesaid, all Persons shall have free Liberty with Waggons or Carriages properly constructed, to use the said Railways or Tramroads so to be made to the Iron Works at *Rumney*, and the Limestone Rock or Quarry at *Trevil*, in such and the same Manner as any other of the Railways or Tramroads hereby authorized to be made; and that all Persons using the same shall be subject and liable to such and the like Rules, Orders, and Regulations, as they will be subject to upon any other of the Railways or Tramroads hereby authorized to be made, so far as the same shall be applicable; and that the said *Samuel Homfray, Richard Fothergill, Matthew Monkhouse, William Thompson, and William Forman*, their Executors, Administrators, and Assigns, shall have the Benefit of all Clauses, Powers, Authorities, Matters, and Things contained in this and the said recited Acts, which would have been applicable to the said Railways or Tramroads, to the Iron Works at *Rumney*, and the Limestone Rock or Quarry at *Trevil*, in case the same had been Part of the Railway or Tramroad hereby authorized to be made by the said *Sirhowy Tramroad Company*, and as fully and effectually as the same Company could or might in that Case have had the Benefit and Advantage thereof; and that all Fines, Penalties, and Forfeitures to be incurred, for any Matter or Thing to be done to or upon the said Railways or Tramroads to the Iron Works at *Rumney*, and the Limestone Rock or Quarry at *Trevil*, and which would have gone to the said last mentioned Company, in case such Railways or Tramroads had been Part of that authorized to be made by them, shall go and be paid to the said *Samuel Homfray, Richard Fothergill, Matthew Monkhouse, William Thompson, and William Forman*, their Executors, Administrators, and Assigns.

XII. And whereas a Survey hath been made, in order to ascertain the Practicability of making the said Railways or Tramroads, hereby authorized to be made from *Sirhowy Furnaces* to the *Monmouthshire Canal* and the River *Ush* at or near the Town of *Newport*, with the Branches therefrom to *Pill Gwenlly*, and to the Limestone Rock at *Trevil*, and the Iron Works at *Rumney* as aforesaid, and Maps or Plans have been

Maps or Plans of intended Railways made, and with Books of Reference deposited with Clerks of the Peace.

made,

made, describing the Line of such Railways or Tramroads and the Branches therefrom, and the Lands through which the same are proposed to be carried, together with Books of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands; and the Map or Plan and Book of Reference, which concern the County of *Monmouth*, have been deposited at the Office of the Clerk of the Peace for that County, and the Map or Plan and Book of Reference, which concern the County of *Brecknock*, have been deposited at the Office of the Clerk of the Peace for that County; be it therefore further enacted, That the said Maps or Plans and Books of Reference shall respectively remain in the Custody of the Clerks of the Peace for the said Counties of *Monmouth* and *Brecknock*, in order that all Persons may, at all reasonable Times, have Liberty to inspect and peruse, and to take Copies or Extracts of the same at their Pleasure, on Payment of the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every Two hundred Words of such Copies or Extracts of the said Book of Reference; and that the said Companies or Persons hereby authorized to make the said Railways or Tramroads and the Branches therefrom respectively, shall not, in making the same, deviate more than Two hundred Yards from the Line or Course thereof, respectively described in the said Maps or Plans, and that no such Deviation shall be made into or through the Lands of any Person not named in the said Books of Reference, without the Consent in Writing of such Person: Provided always, that no Advantage shall be taken of or against the said Companies or Persons hereby authorized to make the said intended Railways or Tramroads, with the Branches therefrom, described in the said Maps or Plans, nor any Interruption be given to the making thereof, on Account of any Error or Omission in the said Books of Reference, in case it shall appear to any Two or more of the Commissioners appointed or to be appointed by or in pursuance of the said first mentioned Act, and be certified in Writing under their Hands, that such Error or Omission proceeded from Mistake.

Railways not to deviate more than Two hundred Yards from the Line in the Maps or Plans.

Monmouthshire Canal Company may make Places for depositing Ballast adjoining the River *Usk*.

XIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors of the *Monmouthshire* Canal Navigation, and they are hereby authorized and empowered, at any Time or Times hereafter, to take any Plot or Plots of Ground on each or either Side of the River *Usk*, not exceeding Forty Acres in the Whole, but no Part thereof to be above *Pill-Gwenlly*, on the West Side of the River, for the Purpose of making One or more Place or Places for depositing Ballast upon, for the Accommodation of Ships or Vessels trading to and from *Newport* aforesaid; they the said Company of Proprietors making Satisfaction for the Ground so to be taken as last mentioned, in such and the same Manner as for any other Ground to be taken and used by them under the Powers given by this Act.

Monmouthshire Canal Company empowered to uphold the Dam Head of the Pond belonging to *Trofnant* Furnace, and to draw Water therefrom.

XIV. And be it further enacted, That it shall be lawful for the said Company of Proprietors of the *Monmouthshire* Canal Navigation, in Consideration of their having, by Agreement with the Owner of the Iron Work or Furnace called *Trofnant Furnace*, raised the Dam Head or Embankment at the End of the Pool or Pond belonging thereto, at a considerable Expence, and also paid the Owner Fifty Guineas for the Liberty of so doing, from Time to Time and at all Times hereafter, to repair, maintain, and uphold such Dam Head or Embankment at its present

present Height; and from Time to Time, as Occasion may require, to draw and take Water out of the said Pool or Pond for the Use of their Canal, so as they conduct such Water through the present Course or Channel, and any other Course or Channel such Owner or Owners may chuse to adopt for the Accommodation of his Works, and so as not at any Time to reduce the Water therein lower than Sixteen Feet from the Top of the said Dam Head or Embankment; and that the said Company of Proprietors shall also retain the Liberty granted to them by the said first recited Act, of conducting Water from any Reservoir or Reservoirs belonging to them through the said Pool or Pond, in the Manner and upon the Terms and Conditions in the same Act mentioned: Provided always, that nothing herein contained shall extend to prevent the Owner or Owners of the said *Trofnant* Furnace for the Time being, from taking and using the Water in the said Pool or Pond, for the necessary Supply of such Furnace, as heretofore accustomed, or any other Work or Works such Owner or Owners may hereafter erect below such Pool or Pond.

XV. And be it further enacted, That if the Owner or Owners of any Land or Ground, adjoining or near to the River *Ufk*, shall not, within Twelve Calendar Months after Notice in Writing, in that Behalf, shall be given to him, her, or them, or left at his, her, or their Dwelling House, or usual or last known Place of Abode, by or on the Behalf of the said Company of Proprietors of the *Monmouthshire* Canal Navigation, or by or on the Behalf of the said *Sirhowy* Tramroad Company, lay out and make, and from Time to Time keep in good Repair, such Wharf or Wharfs, upon his, her, or their said Land or Ground, as the Commissioners, appointed or to be appointed by or in pursuance of the said first recited Act, shall deem necessary or expedient to be made, for the Use and Accommodation of the Persons conveying Iron, Coals, and other Commodities upon the Railways or Tramroads to be made in pursuance of this Act, then and in every such Case it shall be lawful for the said Company of Proprietors of the *Monmouthshire* Canal Navigation, or in case of their Refusal, for the said *Sirhowy* Tramroad Company to make and maintain such Wharf or Wharfs, and to take and use so much of the said Land or Ground as shall be necessary for that Purpose, and to do all such Acts, Matters, and Things in and about, or for the making, repairing, preserving, maintaining, and using of the same, as shall be found expedient, making Satisfaction for the Land or Ground so to be taken or used, and for all Damages to be done to any Person or Persons by means of the Exercise of such last mentioned Powers and Authorities, in such and the same Manner as for any other Land or Ground to be taken or used for the Purposes of this Act, and for the Damages to be done in the Exercise of any other of the Powers and Authorities hereby granted; and that all such Wharfs as aforesaid, whether made by the Owner or Owners of the Land or Ground, or by either of the said Companies, shall be publick and open to all Persons for the Purpose of depositing their Iron, Coals, and other Commodities thereon, upon the Payment of such Rates, Tolls, or Duties as shall be demanded for the same, not exceeding the Rates, Tolls, or Duties, by the said first herein-before mentioned Act authorized to be taken by the Owners of Wharfs, to be made as therein mentioned, for the Wharfage of the like Articles.

Power for
Monmouthshire
Canal Com-
pany, or
Sirhowy
Tramroad
Company, to
make Wharfs,
if Land
Owners re-
fuse.]

Form of Conveyance of Lands to be taken for the Purposes of this Act.

XVI. And be it further enacted, That all Lands, Tenements, and Hereditaments, which shall be set out and ascertained, or shall be taken and purchased, or contracted to be taken and purchased by the said Company of Proprietors of the *Monmouthshire* Canal Navigation, or by the said *Sirhowy* Tramroad Company, or by the said *Samuel Homfray, Richard Fothergill, Matthew Monkhouse, William Thompson, and William Forman*, their Executors, Administrators, and Assigns, pursuant to any of the Directions and Powers given by this Act, and for any of the Purposes herein mentioned, shall and may be conveyed and assured by the Person or Persons by this Act authorized and empowered to convey the same, or by the Person or Persons already by Law enabled and compelled so to do, unto the said Company of Proprietors of the *Monmouthshire* Canal Navigation, or unto the said *Sirhowy* Tramroad Company, or unto the said *Samuel Homfray, Richard Fothergill, Matthew Monkhouse, William Thompson, and William Forman*, their Heirs, Executors, Administrators, and Assigns, or a Trustee or Trustees for them, as the Case may require, by a Deed in Writing in the Form or to the Effect of the Form following (that is to say),

KNOW all Men by these Presents, That I _____ of _____ in Consideration of the Sum of _____ to me paid [or, in Consideration of the annual Rent of _____ to be from henceforth yielded and paid to me, my Heirs, Executors, Administrators, or Assigns, by Two Half-yearly Payments], by the Company of Proprietors of the *Monmouthshire* Canal Navigation [or, the *Sirhowy* Tramroad Company, or, the said *Samuel Homfray, Richard Fothergill, Matthew Monkhouse, William Thompson, and William Forman*, their Executors, Administrators, and Assigns, as the Case may be], do hereby, in pursuance of [or, by force and virtue of the Power in that behalf contained in] an Act of Parliament made in the Forty-second Year of the Reign of His Majesty King *George* the Third, intituled [insert the Title of this Act] grant, bargain, sell, and convey [or, bargain, sell, and assign, if Leasehold] unto [here insert the Name of the Company or Persons to whom the Lands or Hereditaments are to be conveyed, together with the proper Description of such Lands or Hereditaments] and all my Estate and Interest therein, to hold unto and to the Use of the said [here insert the Name of the Company or Persons to whom the Lands or Hereditaments are to be conveyed] for ever [or, if Leasehold, or for any partial or qualified Estate or Interest, specifying the Term, Estate, or Interest intended to be conveyed] according to the true Intent and Meaning of the said Act of Parliament [making the necessary Variations according to the Circumstances of every particular Case]. In Witness whereof I have hereunto set my Hand and Seal, the _____ Day of _____ in the Year of our Lord

And that all Conveyances and Assurances to be made to any other Person or Persons for effecting and completing any Sale or Exchange of any Lands or Hereditaments pursuant to and within the Intent and Meaning of this Act; shall and may be made by a Deed in Writing, in the Form or to the Effect of the Form aforesaid, or as near thereto as Circumstances will permit; and that all such Conveyances and Assurances as aforesaid shall be good, valid, and effectual in the Law, to all Intents and Purposes, and shall be a complete Bar of all Estates Tail, and other Estates, Rights, Titles,

Titles, Trusts, and Interests whatsoever, in Possession, Reversion, Remainder, or Expectancy, without any Bargain and Sale for a Year, Livery of Seisin, or Inrolment, and without any Fine or Recovery of the Hereditaments to be therein respectively comprized; and that so much of the said first herein-before mentioned Act as directs any Conveyances or Assurances, Contracts or Agreements, to be inrolled with the Clerk of the Peace for the County of *Monmouth*, shall be, and the same is hereby repealed.

XVII. And whereas the Sum of Two hundred and thirteen thousand seven hundred Pounds, Part of the said Sum of Two hundred and twenty-four thousand three hundred and eighty-five Pounds herein-before mentioned to have been raised and contributed by the said Company of Proprietors of the *Monmouthshire* Canal Navigation for carrying on their Undertaking, having been divided into Two thousand one hundred and thirty-seven Shares of One hundred Pounds each, and numbered in regular Progression, as directed by the said recited Act of the Thirty-seventh Year of His present Majesty's Reign, and the Sum of Ten thousand six hundred and eighty-five Pounds, Residue of the said Sum of Two hundred and twenty-four thousand three hundred and eighty-five Pounds, having been contributed by the Proprietors of the said Two thousand one hundred and thirty-seven Shares, in Proportion to their respective Number of Shares, such Two thousand one hundred and thirty-seven Shares became increased to the Sum of One hundred and five Pounds each: And whereas it is expedient that the Shares in the said Undertaking should consist only of One hundred Pounds each; be it therefore further enacted, That the additional Sums of Five Pounds each shall, as soon as conveniently may be after the passing of this Act, be deducted and taken from the said Two thousand one hundred and thirty-seven Shares, so as to reduce the same, to One hundred Pounds each; and that the several additional Sums of Five Pounds belonging to each Proprietor shall be thrown together, and formed into additional Shares in the said Undertaking of One hundred Pounds each, so far as the same will extend; and that in all Cases where the additional Sums of Five Pounds belonging to any Proprietor will not make up an entire Share of One hundred Pounds; and where any Proprietor shall be possessed of any Sum or Sums of Five Pounds beyond what will make up One or more entire Share or Shares of One hundred Pounds, every such Proprietor respectively shall contribute and pay, when called upon as herein-after mentioned, such further Sum of Money as with the Fraction of which he or she shall be so possessed as aforesaid, will complete and make up an entire Share of One hundred Pounds; or otherwise, in case any such Proprietor or Proprietors shall be unwilling to contribute and pay such further Sum, and shall thereof give Notice in Writing to the Committee of the said Company of Proprietors, within Two Calendar Months after an Advertisement of the passing of this Act, shall be inserted in One of the *Gloucester* Newspapers, then every Proprietor giving Notice shall be obliged to sell his or her said fractional Part of One hundred Pounds to the said Company at *Par*; and from and after the Purchase of any such fractional Part or Parts by the said Company from any individual Proprietor or Proprietors as aforesaid, it shall be lawful for the Committee of the said Company for the Time being either to sell the same, or any of them, for the Benefit of the Company, to any other Person or Persons, subject to the Condition of his, her, or their completing and making up the same respectively a full and entire Share of

Present Shares in the *Monmouthshire* Canal Company's Undertaking to be reduced to 100 l. each; and fractional Parts to be made up entire Shares of 100 l.

of One hundred Pounds, or otherwise to sink such fractional Part or Parts, or any of them, for the Benefit of the Company, according as shall be thought most advantageous; and that all such new Shares of One hundred Pounds each as shall be so created and made up as aforesaid, shall be numbered in regular Progression from the said Two thousand one hundred and thirty-seven Shares, and every such new Share shall always be distinguished by the Number to be appointed for the same; and that all such new Shares shall be deemed Personal Estate, and be transmissible as such; and that the Proprietors of such new Shares shall, from Time to Time, be entitled to a proportionable Part of the Profits and Advantages arising from the said Undertaking, in like Manner as the Proprietors of the former Two thousand one hundred and thirty-seven Shares.

The Committee may make call for Money for making up such entire Shares.

XVIII. And be it further enacted, That the Committee of the said Company for the Time being shall have full Power and Authority from Time to Time, after the Expiration of One Month from the passing of this Act, to make such Call or Calls for Money from the several Persons who shall in pursuance of this Act be liable to contribute towards the making up of such new Shares as aforesaid, as the said Committee shall find necessary for carrying on the said Undertaking; and that the Money so to be called for as aforesaid shall be paid into the Hands of the Treasurer of the said Company, at such Time and Place as shall be appointed for that Purpose by the Committee, making such Call, the Time not being less than Three Months after the Insertion of such Advertisement of the passing of this Act as aforesaid.

Monmouthshire Canal Company authorized to raise a further Sum of 50,000 l. by Subscription and creating new Shares.

XIX. And, in order to enable the said Company of Proprietors of the *Monmouthshire* Canal Navigation to complete their original Undertaking, as well as to make and maintain the several Railways or Tramroads and other Works hereby authorized to be made by them, and to discharge the Debts incurred by them; be it further enacted, That, after the aforesaid fractional Parts of Shares shall be completed and made up entire Shares of One hundred Pounds each, or be sunk as aforesaid, it shall be lawful for the said Company of Proprietors, at any Time or Times, pursuant to an Order or Resolution for that Purpose, to be made at some General or Special Meeting or Assembly of the said Company, to raise any further Sum or Sums of Money for the Purposes aforesaid, not exceeding in the Whole the Sum of Fifty thousand Pounds, by new Subscriptions of One or more Sum or Sums of One hundred Pounds each, but not of any fractional Part of a Sum of One hundred Pounds; and that all and every Person and Persons so subscribing and paying One or more Sum or Sums of One hundred Pounds, shall have and be entitled to, and become a Proprietor of One Share in the said Undertaking, for and in respect of every such Sum of One hundred Pounds, and shall have and be entitled to a proportionable Part with the former Proprietors of all the Profits and Advantages arising therefrom; and that all such new Shares so to be created as last mentioned shall be numbered in regular Progression from the Shares then already existing; and that every such Share shall always be distinguished by the Number to be appointed for the same; and that all such last mentioned new Shares shall be deemed Personal Estate, and be transmissible as such; and that all such new Shares, and the Person or Persons subscribing for the same, and becoming entitled thereto, shall from Time to Time be subject and liable to such and the like Calls,

Calls, Rules, Orders, and Regulations, and have the like Privileges and Advantages, as in and by the said first recited Act are expressed, contained, and declared, with regard to the Twelve hundred Shares therein mentioned, and the Persons subscribing for and becoming entitled to the same, or such and so many of them as are not repealed or altered by this present Act.

XX. And be it further enacted, That if any Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part or Share of the Money which shall hereafter be called for in pursuance of this Act, at the Time and Place which shall be appointed for that Purpose, such Person or Persons shall from Time to Time be subject and liable to such and the like Actions and Forfeitures, and to the Sale of his, her, or their Share or Shares in the said Undertaking, in respect of which any Money shall be due and unpaid, in such and the like Manner, and to such and the like Application of the Monies to arise from such Sale, as in and by the said recited Act of the Thirty-seventh Year of His present Majesty's Reign are and is mentioned, imposed, and directed, with respect to the Persons neglecting or refusing to pay their proportionable part of the Money to be called for in pursuance of that Act.

Persons neglecting to answer Calls to be liable to Actions, etc.

XXI. And be it further enacted, That the additional Shares which will be created by or in pursuance of this Act in the said Navigation and Undertaking, shall entitle the Proprietors thereof to such and the like Right of voting at General and Special Meetings or Assemblies of the said Company of Proprietors of the *Monmouthshire* Canal Navigation, and upon Committees, and shall and may be sold and transferred in such and the same Manner as the Shares created by or in pursuance of the said recited Acts; and that the several other Clauses, Regulations, Restrictions, Privileges, and Forfeitures, in and by the said recited Acts contained, expressed, and declared of and concerning the Shares created by or in pursuance of those Acts, shall from and after the passing of this Act, so far as the Nature and Circumstances of the Case will admit, and so far as the same are not hereby repealed, altered, re-enacted, or otherwise provided for, extend to and attach upon, and shall take Effect and be put in Execution, applied and enforced, with respect to the said additional Shares which will be created in pursuance of this Act, in the same Manner, and as fully and effectually as if the same Clauses, Regulations, Restrictions, Privileges, and Forfeitures had been inserted, repeated, and enacted at Length in and by this present Act, or as if such additional Shares had been Part of the Shares created by the said recited Acts.

The new Shares to be attended with the like Privileges, etc. as the former Shares.

XXII. Provided always, and be it further enacted, That if the said Company of Proprietors of the *Monmouthshire* Canal Navigation shall be desirous of raising the said additional Sum of Fifty thousand Pounds, or any Part thereof, by Mortgage of their Navigation and Undertaking, then and in such Case it shall be lawful for the said Company, pursuant to an Order or Resolution to be made in that Behalf at a General or Special Assembly of the said Company, to borrow and take up at Interest the said Sum of Fifty thousand Pounds, or any Part thereof, upon the Credit of the said Navigation and Undertaking, and to grant, assign, and make over the several Tolls, Rates, and Duties granted to them by this and the

Or 50,000^l. may be raised by Mortgage.

faid recited Acts, or any Part thereof (the Costs and Charges of which Assignment shall be paid out of such Tolls, Rates, and Duties), as a Security for the Sum or Sums of Money so to be borrowed, with Interest for the same, unto the Person or Persons who shall lend and advance such Sum or Sums of Money, or unto, his, her, or their Trustee or Trustees; all which Assignments shall be made under the Common Seal of the said Company, and be in the Form or to the Effect of the Form following; (that is to say),

Form of Mortgage.

‘ TO all to whom these Presents shall come, We, the Company of Proprietors of the *Monmouthshire* Canal Navigation, by virtue and in pursuance of an Act of Parliament passed in the Forty-second Year of the Reign of His Majesty King *George* the Third, intituled, *An Act, &c.* [*insert the Title of this Act*] and in Consideration of the Sum of _____ to us paid by *A. B.* of _____ do hereby bargain, sell, and assign unto the said *A. B.* all and singular the Rates, Tolls, and Duties granted to us by the same Act, and by the other Acts of the Thirty-second and Thirty-seventh Years of His said Majesty’s Reign therein referred to, and all the Estate, Right, Title, and Interest of us the said Company of Proprietors of, in, to, or out of the same respectively, to hold the same unto the said *A. B.* his Executors, Administrators, and Assigns, until the said Sum of _____ together with Interest for the same, after the Rate of _____ *per Centum per Annum*, shall be fully paid and satisfied to him or them. Given under our Common Seal this _____ Day of _____ in the Year of our Lord _____

No Priority among Mortgages.

And that all Persons to whom such Assignments shall be made shall be entitled, One with the other, to the said Tolls, Rates, Duties, and Premises thereby assigned, in Proportion to the Sums by them respectively lent and advanced on the Credit thereof, without any Preference by reason of Priority of Date of any such Assignment, or upon any other Account whatsoever; and that the Money so be borrowed as aforesaid shall be applied and disposed of for carrying on, completing, and maintaining the said Navigation and Undertaking, and for carrying into Execution the several Powers and Authorities given by this and the said former Acts.

Memorial of Mortgages to be entered in a Book.

XXIII. And be it further enacted, That an Entry or Memorial of every such Assignment or Mortgage as aforesaid, containing the Date, Names of the Parties, and the Sum thereby secured, with the Rate of Interest to be paid for the same, shall be made or entered in a Book to be kept for that Purpose by the Clerk to the said Company of Proprietors; and that such Book shall and may be perused *gratis* at all seasonable Times by any of the Proprietors or Creditors of the said Undertaking; and that all and every Person and Persons to whom any such Assignment or Mortgage shall be made as aforesaid, or his, her, or their Executors or Administrators, shall and may from Time to Time assign or transfer the same, and his, her, or their Right and Interest therein, unto any other Person or Persons, either by Indorsement thereon, or by a separate Writing, in the Form or to the Effect of the Form following; (that is to say),

Mortgages may be transferred.

I, *A. B.*

I *A. B.* do hereby transfer the within Mortgage, [*or*, a certain Mortgage made to me by the Company of Proprietors of the *Monmouthshire* Canal Navigation, bearing Date the _____ Day of _____] and the Principal Sum of _____ thereby secured, and the Interest now due and hereafter to grow due for the same, and all my Right and Property therein, unto *C. D.* of _____ his [*or*, her] Executors, Administrators, and Assigns. Dated this _____ Day of _____ in the Year _____

Form of Transfer.

And that every such Transfer shall be produced to the Clerk of the said Company of Proprietors, who shall cause an Entry or Memorial thereof, to the same Purport and Effect as herein-before directed with respect to the original Assignment or Mortgage, to be made or entered in the Book to be kept for entering Memorials of such original Assignments or Mortgages; and that after such Entry shall be made, but not before, such Transfer shall entitle the Assignee or Assignees, and his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage; and every such Assignee, his or her Executors or Administrators, shall and may assign and transfer the same again in like Manner, and so *toties quoties*.

XXIV. And be it further enacted, That the Interest of the Money which shall be borrowed by Mortgage as aforesaid shall be paid Half Yearly to the Persons entitled thereto, in Preference to any Interest or Dividend of Profits which shall be payable to the said Company of Proprietors, or any of them; and that in case such Interest, or any Part thereof, shall be in Arrear and unpaid by the Space of Sixty Days after the same shall become due, and have been demanded, then it shall be lawful for the Commissioners appointed or to be appointed by or in pursuance of the said first recited Act, at a Meeting to be held as therein mentioned, and they are hereby required, on Application to them by or on the Behalf of any Creditor or Creditors, whose Interest shall be so in Arrear, by an Order under their Hands and Seals, to appoint One or more Person or Persons to receive the Whole, or any Part or Parts of the Tolls, Rates, or Duties liable to pay such Interest; and that the Money to be received by such Person or Persons shall be so received to and for the Use of the Person or Persons to whom such Interest in Arrear shall be due, and shall be paid to him, her, or them accordingly, until the Interest so in Arrear, as well as the Interest which shall grow due whilst the Person or Persons so to be appointed as aforesaid shall be in the Receipt of the said Tolls, Rates, and Duties, together with the Costs and Charges of recovering, receiving, and paying over the same in Manner aforesaid, shall be fully paid, and satisfied; and that after all such Interest and Costs shall be paid and satisfied, the Power and Authority of such Receiver or Receivers shall cease; or otherwise, such Interest in Arrear shall and may be sued for and recovered, with Costs of Suit, by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

Interest of Money borrowed on Mortgage to be paid Half Yearly.

Remedies for Recovery of such Interest.

XXV. And be it further enacted, That, from and after the passing of this Act, the General Meetings or Assemblies of the said Company of Proprietors of the *Monmouthshire* Canal Navigation shall be held on the First *Wednesday* in the Month of *May*, and the First *Wednesday* in the Month _____

Time of holding General Meetings of the *Monmouthshire* Canal Company

Month of *November*, in every Year, at Eleven of the Clock in the Forenoon, at the Canal Office, or such other Place in the Town of *Newport* as shall have been appointed for that Purpose at the preceding General Meeting or Assembly; and that the Committee for managing the Business of the said Company shall be chosen at the General Meeting or Assembly to be held on the First *Wednesday* in the Month of *May* yearly; and that such General Meetings or Assemblies, and also the Special Meetings or Assemblies to be held according to the Directions of the said first recited Act, shall have Power to do all Acts, Matters, and Things whatsoever, which the said Company of Proprietors are enabled to do by this and the said recited Acts; and that it shall be lawful for the said Company to cause the Accounts relating to their said Undertaking to be made up and balanced to the Thirty-first Day of *March* and the Thirtieth Day of *September* in every Year, and also to declare a Dividend of Profits Half Yearly if it shall be thought expedient.

Accounts to be made up Half Yearly.

General Meetings may proceed to the Choice of a Committee, etc. if so many Proprietors present as are entitled to vote for Half the Number of Shares in the Undertaking.

XXVI. And be it further enacted, That, from and after the passing of this Act, it shall be lawful for the General Meetings or Assemblies of the said Company of Proprietors of the *Monmouthshire* Canal Navigation, to proceed to the Choice of a Committee, or to the Removal of any Person or Persons from the Committee, or to the Election of any Person or Persons in the Room of any of the Committee who may be dead, notwithstanding there shall not be present so many Proprietors as are required to be present for those Purposes by the said first herein-before mentioned Act, provided there shall be present at such Meetings or Assemblies so many Proprietors as shall be entitled to vote, either as Principals or Proxies, for and in respect of One Half of the whole Number of Shares in the said Navigation, for which Votes may be given for the Time being; but if there shall not be so many Proprietors present as last mentioned at such Meeting or Assembly, then such Meeting or Assembly shall not proceed upon the Matters aforesaid, but shall be adjourned to be held at the same Place upon that Day Three Weeks, and so from Time to Time, until so many Proprietors shall be present as last mentioned.

Tolls by the former Acts authorized to be taken by the Canal Company for Tonnage and Wharfage may be taken for Tonnage only.

XXVII. And be it further enacted, That the several Rates, Tolls, and Duties, which the said Company of Proprietors of the *Monmouthshire* Canal Navigation are, by the said recited Acts, authorized to demand and take for the Tonnage and Wharfage of any Goods or Commodities carried or conveyed on the Canals and Railroads thereby authorized to be made, shall and may, from and after the passing of this Act, be demanded and taken for the Tonnage only of such Goods; and that it shall be lawful for the said Company of Proprietors, after the passing of this Act, to charge and take such Rates, Tolls, or Duties for the Wharfage of any Goods or Commodities placed on any Wharfs which they may hereafter be possessed of, as they shall think proper, not exceeding the Rates, Tolls, or Duties, which other Owners of Wharfs are by the said first mentioned Act authorized to charge and take for the Wharfage of the like Goods or Commodities placed thereon.

Tolls for a full Quarter of a Mile to be paid for any less Distance.

XXVIII. And be it further enacted, That, from and after the passing of this Act, in all Cases where any Goods or Commodities shall be conveyed on any of the Canals, or Railways, or Tramroads, made or to be made

in pursuance of this and the said recited Acts, for any Distance short of a Quarter of a Mile, either from the Place of setting out, or over and above an entire Quarter, or any Number of entire Quarters of a Mile, the Rates, Tolls, or Duties payable for a full Quarter of a Mile shall be paid for every such less Distance; and that Quarter Mile Stones or Posts shall be erected, and for ever after kept up on the Sides of such Canals, Railways, and Tramroads respectively, with proper and legible Marks, denoting the Distances from such Places, as shall be thought expedient.

XXIX. And be it further enacted, That it shall be lawful for the said Company of Proprietors of the *Monmouthshire* Canal Navigation, after the passing of this Act, to give Bounties to any Owners or Masters of Vessels shipping Coals at or near the Town of *Newport*, under such Conditions and Restrictions as the said Company shall think proper, provided such Coals shall be delivered at certain Ports and Places, to be fixed from Time to Time by the said Company of Proprietors.

The Canal Company may give Bounties on shipping Coals.

XXX. And be it further enacted, That the aforesaid *Samuel Homfray*, *Richard Fothergill*, *Matthew Monkhouse*, *William Thompson*, and *William Forman*, their Executors, Administrators, and Assigns, Lessees or Proprietors of *Tredegar* Iron Works aforesaid, shall at all Times use the Railways or Tramroads to be made in pursuance of this Act for the Conveyance of their Iron, Coals, and other Commodities, from any of their Works erected or to be erected on the Lands included in their Lease of *Tredegar* Iron Works, or in the Valley of *Sirhowy*, to *Newport*, or for Exportation, and shall not convey the same or any Part thereof by or upon any other Way or Road whatsoever (except some Canal or Railway belonging to the said Company of Proprietors of the *Monmouthshire* Canal Navigation); and that the said *Samuel Homfray*, *Richard Fothergill*, *Matthew Monkhouse*, *William Thompson*, and *William Forman*, their Executors, Administrators, and Assigns, Lessees or Proprietors of *Tredegar* Iron Works, shall and may convey all their Iron, Coals, Timber, and other Commodities upon and along the Railways or Tramroads to be made by the said Company of Proprietors of the *Monmouthshire* Canal Navigation in pursuance of this Act, at and for such and the like Rates, Tolls, or Duties, as shall for the Time being be taken by the said last mentioned Company for the like Articles on the present Canals and Railways belonging to them.

Proprietors of *Tredegar* Iron Works to use the Railways made in pursuance of this Act, for the Conveyance of their Iron, etc.

XXXI. And be it further enacted, That the said *Sirhowy* Tramroad Company shall not, at any Time hereafter, take any less Rates, Tolls, or Duties for any Coals to be conveyed on the Railway or Tramroad to be made by them, than shall for the Time being be taken by the said Company of Proprietors of the *Monmouthshire* Canal Navigation for the same Article on their Canals; save and except that when such Coals shall be conveyed more than Three Miles on the said Railway or Tramroad, it shall be lawful for the said *Sirhowy* Tramroad Company to take the Rates, Tolls, or Duties for Three Miles only, but not less, or so much more as they shall think proper, not exceeding the Rates, Tolls, or Duties for the Time being payable on the said Canals; and that the said *Sirhowy* Tramroad Company shall not at any Time take any less Rates, Tolls, or

The *Sirhowy* Company not to take less Tolls than the Canal Company in certain Cases.

[Loc. & Per.]

23 S

Duties

Duties for any Iron to be conveyed on their said Railway or Tramroad from any Furnace or Furnaces, or Iron Works, the Produce whereof hath at any Time past been carried on any of the present Canals or Railways belonging to the said Company of Proprietors of the *Monmouthshire* Canal Navigation (except *Sirhowy* Works), than shall for the Time being be charged and taken by the said last mentioned Company for the like Article on their said present Canals and Railways; but that in all other Cases the said *Sirhowy* Tramroad Company shall be at Liberty to charge and take on their Railway or Tramroad whatever Rates, Tolls, or Duties they may think fit, not exceeding the Rates, Tolls, and Duties which shall for the Time being be taken for the like Articles by the Company of Proprietors of the *Monmouthshire* Canal Navigation on their said present Canals and Railways.

Tonnage of
Coal, Iron, etc.
how to be cal-
culated.

XXXII. And be it further enacted, That the Tonnage of all Coal, Iron, and other Articles, conveyed on the Railway or Tramroad belonging to the said *Sirhowy* Tramroad Company, shall always be calculated according to Long Weight; that is to say, each Ton of Coal to consist of Twenty-one Hundred Weight, and each Hundred of One hundred and twenty Pounds; and each Ton of Iron, and all other Articles, to consist of Twenty Hundred Weight, and each Hundred of One hundred and twenty Pounds, with the usual Breakage on Iron of Thirty Pounds; but that the Tonnage on the Railways or Tramroads to be made by the said Company of Proprietors of the *Monmouthshire* Canal Navigation, in pursuance of this Act, shall and may be calculated according to the Rules and Regulations of the said Company on their Canals and present Railways; and that no greater Rates, Tolls, or Duties shall ever be taken or demanded by the said last mentioned Company, on the Railways or Tramroads to be made by them in pursuance of this Act, than shall for the Time being be demanded and taken by them for the like Articles on their said Canals and present Railways.

The *Sirhowy*
Company to
pay the Canal
Company 110*l.*
per Annum.

XXXIII. And be it further enacted, That in Consideration of the said Company of Proprietors of the *Monmouthshire* Canal Navigation having agreed to make a Mile more of the intended Railway or Tramroad between *Sirhowy* Furnaces and *Tredegar* Park, than was at first stipulated by them, instead of the Mile now intended to be made by *Sir Charles Morgan* as aforesaid, the said *Sirhowy* Tramroad Company shall, from and after the Completion of the said Railway or Tramroad between *Sirhowy* Furnaces and the River *Ush*, pay unto the said Company of Proprietors of the *Monmouthshire* Canal Navigation, the clear yearly Sum of One hundred and ten Pounds of lawful Money of *Great Britain*, for and during the Remainder of the Term of Ninety-nine Years, from the Twenty-fifth Day of *March* One thousand eight hundred, by equal Half-yearly Payments, the First Half Year's Payment thereof to be made on the Twenty-fifth Day of *March*, or the Twenty-ninth Day of *September* next after the Completion of such Railway or Tramroad; and that in case of Default of Payment of the said yearly Sum of One hundred and ten Pounds, or any Part thereof, for the Space of Sixty Days after the same shall become due, it shall be lawful for the said Company of Proprietors of the *Monmouthshire* Canal Navigation, to demand, receive, and take all the Rates, Tolls, and Duties arising upon the Railway or Tramroad belonging to the said *Sirhowy* Tramroad Company, and they are hereby

hereby vested with all necessary Powers for demanding, receiving, and recovering the same, until they shall be thereby or otherwise fully paid and satisfied, the said yearly Sum of One hundred and ten Pounds, or so much thereof as shall be in Arrear, together with all Costs, Charges, Damages, and Expences, occasioned by the Non-payment thereof, when the same shall become due; or otherwise the said Company of Proprietors of the *Monmouthshire* Canal Navigation shall and may recover the same, with full Costs of Suit, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

XXXIV. Provided always, and be it further enacted, That nothing in this or the said former Acts contained, shall extend to make void an Agreement lately entered into between the said Company of Proprietors of the *Monmouthshire* Canal Navigation and Sir Robert Salusbury Baronet, whereby the said Company have agreed that the said Sir Robert Salusbury shall convey the Coals from his present Collieries at *Llanhiddel*, upon their Canal and Railway, to *Newport*, on Payment to them of the yearly Sum of One hundred Pounds, and of the Tolls, Rates, or Duties, for Twelve Miles only, though the Distance exceeds Twelve Miles, nor to prevent the said Company from carrying such Agreement into Execution.

Agreement
between Canal
Company and
Sir Robert
Salusbury,
confirmed,

XXXV. And be it further enacted, That notwithstanding any Thing contained in this and the said former Acts, it shall be lawful for the said Company of Proprietors of the *Monmouthshire* Canal Navigation, and for the said *Sirhowy* Tramroad Company respectively, to take any less Rates, Tolls, or Duties, for the Tonnage of any Goods or Commodities conveyed on any of the Canals or Railways made or to be made in pursuance of this and the said former Acts, upwards, from the Town of *Newport* or the River *Uſk*, than shall, for the Time being, be demanded and taken by them for the Tonnage of any Goods or Commodities conveyed on any of the said Canals or Railways, downwards, to the said Town or River.

Less Tolls may
be taken for
back Carriage.

XXXVI. And, in order to enable the said *Sirhowy* Tramroad Company to make and maintain the Railway or Tramroad and Conveniencies hereby authorized to be made by them; be it further enacted, That it shall be lawful for the said *Sirhowy* Tramroad Company to raise and contribute among themselves, in such Proportions as they shall think fit, such Sum or Sums of Money, for the making and maintaining of the same, as shall be thought sufficient, not exceeding in the Whole the Sum of Thirty thousand Pounds (except as herein-after mentioned); and that the said Sum of Thirty thousand Pounds, or such Part thereof as shall be contributed by the Subscribers thereto, shall be divided into Three hundred equal Parts or Shares, at a Price not exceeding One hundred Pounds *per* Share; and that such Shares shall be numbered in regular Progression, and every such Share shall always be distinguished by the Number to be appointed for the same; and that all such Shares shall be deemed Personal Estate, and be transmissible as such, and not of the Nature of Real Estate; and that the Three hundred Shares shall be vested in the several Subscribers, and their respective Executors, Administrators, and Assigns, proportionably to the Sums which they shall respectively subscribe and pay for or on Account of the same; and that every

Sirhowy
Tramroad
Company
authorized to
raise 30,000 *l.*

every Person who shall subscribe and pay the Sum of One hundred Pounds, or such Part thereof as shall be called for, towards making and maintaining the said Railway or Tramroad and other Conveniencies hereby authorized to be made by the said *Sirhowy* Tramroad Company, shall be entitled to and receive, after the same Railway or Tramroad shall be completed, One full Three hundredth Part or Share of the clear Profits and Advantages to arise from the said Undertaking, and so in Proportion for any greater Number of Shares; and that every Person having such Property of One Three hundredth Part or Share, or more, in the said Undertaking, shall from Time to Time pay a proportionable Part of the Money to be called for on Account of the said Sum of Thirty thousand Pounds for carrying on the same.

Authorizing the Proprietors of the *Sirhowy* Tramroad to dispose of Shares.

XXXVII. And be it further enacted, That it shall be lawful for the several Proprietors of the *Sirhowy* Tramroad, or any of them, to sell and dispose of any Share or Shares which he, she, or they shall be respectively entitled to therein, subject to the Rules and Conditions that shall be agreed upon and settled for that Purpose by the said Proprietors, at any Meeting to be held; and that every Bargain and Sale or Transfer of the said Shares, shall be in such or the like Form as is prescribed and directed in and by the first herein-before recited Act, with respect to the Transfer of Shares by the said Company of Proprietors of the *Monmouthshire* Canal Navigation.

If the 30,000 l. not sufficient, they may raise 15,000 l. more.

XXXVIII. And be it further enacted, That if the said Sum of Thirty thousand Pounds shall be found insufficient for the making, completing, and maintaining of the said Railway or Tramroad and Conveniencies hereby authorized to be made by the said *Sirhowy* Tramroad Company, then, and in such Case, it shall be lawful for the said Company to raise any further Sum or Sums of Money for the Purposes aforesaid, not exceeding in the Whole the Sum of Fifteen thousand Pounds, either by a Subscription and Contribution amongst themselves, rateably and in Proportion to their respective Number of Shares in the Undertaking, for the Time being, or otherwise by the Admission of new Subscribers of One or more Sum or Sums of One hundred Pounds each, but not of any fractional Part of a Sum of One hundred Pounds; and that all and every Person and Persons so subscribing and paying One or more Sum or Sums of One hundred Pounds, shall have and be entitled to and become a Proprietor of One Share in the said Undertaking for and in respect of every such Sum of One hundred Pounds, and shall have and be entitled to a proportionable Part with the former Proprietors of all the Profits and Advantages arising therefrom; and that all such new Shares so to be created as last mentioned, shall be numbered in regular Progression from the Shares then already existing; and that every such Share shall always be distinguished by the Number to be appointed for the same; and that all such new Shares shall be deemed Personal Estate, and be transferrable as such; and that all such new Shares, and the Person or Persons subscribing for the same, and becoming entitled thereto, shall from Time to Time be subject to such and the like Calls, Rules, and Regulations, and have the like Privileges and Advantages as the original Three hundred Shares, and the Persons subscribing for and becoming entitled to the same.

XXXIX. Pro-

XXXIX. Provided always, and be it further enacted, That if the said *Sirhowy* Tramroad Company shall be desirous of raising the said additional Sum of Fifteen thousand Pounds, or any Part thereof, by Mortgage of the Railway or Tramroad hereby authorized to be made by them, then and in such Case it shall be lawful for the said *Sirhowy* Tramroad Company, to borrow and take up at Interest the said Sum of Fifteen thousand Pounds, or any Part thereof, upon the Credit of such Railway or Tramroad, and to assign and make over the several Tolls, Rates, and Duties granted to them by this Act, or any Part thereof, (the Costs and Charges of which Assignment shall be paid out of such Tolls, Rates, and Duties), as a Security for the Sum or Sums of Money so to be borrowed, with Interest for the same, unto the Person or Persons who shall lend and advance such Sum or Sums of Money, or unto his, her, or their Trustee or Trustees, which Assignments shall be made under the Common Seal of the said Company, and in such or the like Form as is herein-before directed with respect to the Mortgages to be made by the said Company of Proprietors of the *Monmouthshire* Canal Navigation, or as near as Circumstances will permit; and that all Persons to whom such Assignments shall be made, shall be entitled One with the other to the said Tolls, Rates, Duties, and Premises thereby assigned, in Proportion to the Sums by them respectively lent and advanced on the Credit thereof as aforesaid, without any Preference by Reason of Priority of Date of any such Assignment, or upon any other Account whatsoever; and that the Money so to be borrowed as aforesaid, shall be applied and disposed of for carrying on, completing, and maintaining the said Railway or Tramroad and Conveniencies hereby authorized to be made by the said *Sirhowy* Tramroad Company, and for carrying the several Powers and Authorities hereby vested in them into full Execution.

The 15,000*l.* may be raised by Mortgage.

XL. And be it further enacted, That an Entry or Memorial of every such Assignment or Mortgage to be made by the said *Sirhowy* Tramroad Company, containing the Date, Names of the Parties, and the Sums thereby secured, with the Rate of Interest to be paid for the same, shall be made or entered in a Book to be kept for that Purpose by the Clerk to the said Company; and that such Book shall and may be perused *gratis* at all seasonable Times by any of the Proprietors or Creditors of the said Undertaking; and that all and every Person and Persons to whom any such Assignment or Mortgage shall be made, or his, her, or their Executors or Administrators, shall and may from Time to Time assign or transfer his, her, or their Right and Interest therein, unto any other Person or Persons, either by Indorsement thereon, or by a separate Writing, in such or the like Form as is herein-before directed for the Transfer of Mortgages to be made by the Company of Proprietors of the *Monmouthshire* Canal Navigation; and that every such Transfer shall be produced to the Clerk of the said *Sirhowy* Tramroad Company, who shall cause an Entry or Memorial thereof, to the same Purport and Effect as herein-before directed with respect to the original Assignment or Mortgage, to be made or entered in the Book to be kept for entering Memorials of such original Assignments or Mortgages; and that after such Entry shall be made, but not before, such Transfer shall entitle the Assignee or Assignees, and his,

A Memorial to be made of Mortgages.

Mortgages may be transferred.

her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage; and every such Assignee, his or her Executors or Administrators, shall and may assign and transfer the same again in like Manner, and so *toties quoties*.

Interest of Money to be borrowed by *Sirhowy* Company to be paid Half-yearly, and Provision for Recovery thereof.

XLI. And be it further enacted, That the Interest of the Money which may be borrowed by the said *Sirhowy* Tramroad Company on Mortgage as aforesaid, shall be paid Half-yearly to the Persons entitled thereto, in Preference to any Interest or Dividend of Profits which shall be payable to the said Company or any of them; and that the Interest of the Monies so to be borrowed on Mortgage by the said *Sirhowy* Tramroad Company, shall and may from Time to Time, when in Arrear, be raised and levied by and out of the Rates, Tolls, and Duties liable thereto, or be recovered by Action against the said *Sirhowy* Tramroad Company in such and the like Manner, and that the Commissioners appointed by or in pursuance of the said first mentioned Act, and all other Persons, shall have and be vested with the like Powers and Authorities for those Purposes, as is and are herein-before directed and given for the raising and levying, or Recovery of Interest due and in Arrear, upon any Mortgages to be made by the said Company of Proprietors of the *Monmouthshire* Canal Navigation.

Sirhowy Tramroad Company empowered to make Bye Laws, &c. for the orderly using of their Roads.

XLII. And be it further enacted, That the said *Sirhowy* Tramroad Company shall have full Power and Authority, from Time to Time as Occasion may require, to make such Rules, Orders, Bye Laws, and Regulations, as they shall think proper and expedient, for the orderly using of the Railway or Tramroad, Resting Places, and Conveniences, to be made by them in pursuance of this Act, and of and concerning all Waggon and other Carriages, Horses and other Beasts, Goods and Commodities, which shall be conveyed or pass thereon, and for the orderly Behaviour and Government of the Waggoners and other Persons, who shall be employed in the Conveyance of any Goods or Commodities on the said Railway or Tramroad, or who shall otherwise travel or go thereon; and from Time to Time to alter or repeal such Rules, Orders, Bye Laws, and Regulations, or any of them, and to make others for the Purposes aforesaid; and to impose such reasonable Fines, Penalties, or Forfeitures, upon all Persons offending against the same, as the said Company shall find expedient, not exceeding the Sum of Ten Pounds for any One Offence; which Fines, Penalties, and Forfeitures shall and may be levied and recovered by such or the like Ways and Means, and in such or the like Manner, as in and by the said first recited Act are and is provided and directed, with respect to any of the Fines, Penalties, and Forfeitures thereby imposed; and which said Rules, Orders, Bye Laws, and Regulations, being reduced into Writing under the Common Seal of the said last mentioned Company, shall be binding upon and be observed by all Persons whom the same may concern, and shall be sufficient in any Court of Law or Equity, to justify all Persons acting under the same; provided they be not repugnant to the Laws of the Realm, or any of the express Provisions or Directions of this Act.

XLIII. And

XLIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Acts, and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity as in the said first recited Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Commissioners for executing the said Acts and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order, made upon a Petition, to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being, have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of
Compensation
when amount-
ing to 200^l.

XLIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians,

Application
where the
Compensation
is less than
200^l. and ex-
ceeds 20^l.

Committee

Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Commissioners (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application where the Money is less than 20/.

XLV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of the said Acts and this Act, in such Manner as the said Commissioners, or any Five or more of them, shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Empowering the *Sirhowy* Tramroad Company to make Rules for their Government.

XLVI. And be it further enacted, That all the Powers and Authorities by this Act given to the said *Sirhowy* Tramroad Company, shall and may from Time to Time be exercised and put into Execution, as shall or may be directed by such and so many of the said Proprietors in their Undertaking, as shall be the major Part in Number of such Proprietors, and be possessed of the major Part of the Shares in the said Undertaking, present at any Meeting or Meetings to be by them holden, and who shall and may at such Meeting make and declare such Rules, Orders, and Regulations, as they shall think proper and expedient for the good Government of the said Concern, and the Appointment of any Committee or Committees to manage the Business of the said Company, and the Appointment and Removal of any necessary Officers or Agents.

Till the Railway be made to *Nant y Glo*, the Company may make Abatements on Tolls payable by the Occupiers of the Iron Works there.

XLVII. And whereas the said Company of Proprietors of the *Monmouthshire* Canal Navigation have not yet begun to make the Railway or Stone Road, which by the herein-before first recited Act of the Thirty-second Year of His present Majesty's Reign, they were authorized to make from the Cut or Canal thereby authorized to be made to *Crumlin* Bridge aforesaid, at or near a Place called *Aberbeeg*, to or near to the Iron Works at *Nant y Glo* therein mentioned, and for the making of which a further Provision was made by the herein-before recited Act of the Thirty-seventh Year of His present Majesty; and it may be an Inconvenience and a Disadvantage to the Occupiers of such Iron Works not to have the said Railway or Stone Road made; be it further enacted, That, until the said Railway or Stone Road from *Aberbeeg* to the Iron Works at *Nant y Glo* shall be made, it shall and may be lawful for the

faid Company of Proprietors of the *Monmouthshire* Canal Navigation, if they shall think proper, whenever the Rates, Tolls, or Duties payable by the Occupier or Occupiers for the Time being of the faid Iron Works, for any Commodities which shall be conveyed on the Canals, Cuts, and Railways belonging to the faid Company, and shall be liable to pay Five-pence *per Ton per Mile* under this Act and the faid Two former Acts, shall amount, for the whole Distance of the Passage over any such Canals, Cuts, or Railways, to more than the Sum of Six Shillings and Sixpence *per Ton*, to abate so much thereof as will reduce the same to Six Shillings and Sixpence *per Ton*, and also to make a proportionable Abatement on the Amount of the Rates, Tolls, or Duties payable by such Occupier or Occupiers for the Time being of the faid Iron Works, for any Commodities which shall be conveyed on the faid Canals, Cuts, and Railways, and shall be liable to pay less than Five-pence *per Ton per Mile* under this Act and the faid Two former Acts; and also, that if the Rates, Tolls, and Duties which shall, immediately after the passing of this Act, be generally demanded and taken by the faid Company for the Conveyance of Goods on their Canals, Cuts, and Railways, shall at any Time or Times thereafter be lowered or reduced, then it shall be lawful for the faid Company, if they shall think proper, from Time to Time to make a further proportionable Abatement to the Occupier or Occupiers for the Time being of the faid Iron Works at *Nant y Glo*, on the Amount of the Rates, Tolls, and Duties payable by them for any Goods or Commodities conveyed on the same Canals, Cuts, and Railways: Provided always, that neither of the faid Provision enabling an Abatement of Rates, Tolls, or Duties in Favour of the Occupier or Occupiers of the faid Iron Works at *Nant y Glo*, nor any other Thing in this Act contained, shall in any Manner take away, diminish, or affect any Right which under the faid Acts of the Thirty-second and Thirty-seventh Years of His present Majesty's Reign, or either of them, or otherwise, any Person or Persons may now have, or may hereafter have, to require from the faid Company of Proprietors of the *Monmouthshire* Canal Navigation, the making of the faid authorized Railway or Stone Road from *Aberbeeg* to the Iron Works at *Nant y Glo*.

XLVIII. And be it further enacted, That the several Persons who have already subscribed, or who shall hereafter subscribe to advance any Money for or towards the making and maintaining of the faid Railways or Tramroads and Conveniencies hereby authorized to be made by the faid *Sirhowy* Tramroad Company, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed or to be subscribed or such Part or Parts thereof as shall from Time to Time be called for by the faid Company, at such Time or Times and Place, as shall be appointed for that Purpose; and that in case any Person or Persons shall neglect or refuse to pay the same at the Time and in the Manner required for that Purpose, it shall be lawful for the faid *Sirhowy* Tramroad Company, to sue for and recover the same by Action of Debt, in any of His Majesty's Courts of Record at *Westminster*, with full Costs of Suit.

For compelling Payment of Subscription for making Tramroad by *Sirhowy* Company.

Coals and Culm carried on the Tram-roads made in pursuance of this Act, and afterwards carried from Place to Place on the River *Severn* to the Eastward of *The Holmes*, exempted from Duties on Coals and Culm carried by Sea.

XLIX. And whereas by an Act passed in the Twenty-seventh Year of His present Majesty's Reign, intituled, *An Act for repealing the several Duties of Customs and Excise, and granting other Duties in lieu thereof, and for applying the said Duties, together with the other Duties composing the publick Revenue; for permitting the Importation of certain Goods, Wares, and Merchandize, the Produce or Manufacture of the European Dominions of the French King into this Kingdom; and for applying certain unclaimed Monies remaining in the Exchequer for the Payment of Annuities on Lives to the Reduction of the National Debt; and by the Schedule marked (A), annexed to the said Act, certain Duties of Customs are imposed on Coals and Culm brought Coastwise from Port to Port in Great Britain, except into the Port of London, and except that Coals and Culm carried from the Bridge of Stirling which is on the Firth of Forth, to the Town of Dunbar or to Redhead, or to any Part betwixt them, or from Ellen Foot to Bank End in the County of Cumberland, or from any Creek or Place to any other Creek or Place between Ellen Foot and Bank End aforesaid, are not, by reason of such Carriage, liable to any Duty of Customs: And whereas by an Act passed in the same Year, intituled, *An Act for making further Provisions in regard to such Vessels as are particularly described in an Act made in the Twenty-fourth Year of the Reign of His present Majesty, for the more effectual Prevention of Smuggling in this Kingdom, and for extending the said Act to other Vessels and Boats not particularly described therein; for taking off the Duties and Flasks in which Wine or Oil is imported; for laying an additional Duty on Foreign Geneva imported; for taking off the Duty on Ebony the Growth of Africa, imported into this Kingdom; and for amending several Laws relative to the Revenue of Customs*, after reciting, that by the said former Act passed in the then Session of Parliament, certain Duties of Customs were imposed on Coals, Culm, and Cinders, brought Coastwise within the Kingdom of Great Britain, and that Doubts might arise concerning the true Intent and Meaning of the Words therein mentioned, it was enacted, that the several and respective Duties of Customs imposed on Coals, Culm, and Cinders brought Coastwise, within Great Britain, should be charged and paid upon all Coals, Culm, and Cinders, respectively, which should be shipped, or waterborne in order to be shipped or laid on board any Ship or Vessel to be carried by Sea, and which should be carried by Sea in any Ship or Vessel from any Port or Place within the Kingdom of Great Britain, and which should be brought or landed in any other Port or Place within the said Kingdom of Great Britain, save and except in such Cases where special Provision is particularly and expressly made to the contrary in the said former Act, or in the Schedule or Tables annexed thereto: And whereas, in Consideration that the said Company of Proprietors of the *Monmouthshire* Canal Navigation had expended large Sums of Money in making their said Canal, and that the said Duties of Customs, if levied upon Coals and Culm carried upon the said Canal for the Purpose of being afterwards carried to different Ports or Places on the River *Severn* to the Eastward of the Islands called *The Holmes*, would be a Discouragement to the Carriage of such Articles, it was by the said herein-before mentioned Act of the Thirty-seventh Year of His present Majesty's Reign, enacted, that no Coals or Culm carried on the said Canal, and afterwards carried from any*

any Port or Place to the Eastward of the said Islands called *The Holmes*, to any other Port or Place in or upon the River *Severn*, also to the Eastward of the said Islands, without passing to the Westward thereof, should be subject or liable to the Payment of the Duties payable in respect of Coals or Culm carried by Sea: And whereas the said Duties of Customs would in like Manner be a great Discouragement to the Carriage of Coals and Culm upon the Railways and Tramroads hereby authorized to be made, for the Purpose of Exportation; be it therefore further enacted, That no Coals or Culm which shall be carried or conveyed on any of the Railways or Tramroads to be made in pursuance of this Act, and which shall be afterwards carried or conveyed from any Port or Place to the Eastward of the said Islands called *The Holmes*, to any other Port or Place in or upon the River *Severn*, also to the Eastward of the said Islands called *The Holmes*, without passing to the Westward of the said Islands, shall be subject or liable to the Payment of the Duties payable in respect of Coals or Culm carried by Sea: Provided always nevertheless, that no such Coals or Culm shall be so carried as aforesaid, from any Port or Place in or upon the said River to any other Port or Place, in or upon the same River, free of such Duties of Customs as aforesaid, unless such Entries thereof shall be first made, and such Documents procured as are by Law required in the Case of Coals and Culm carried Coastwise.

L. And whereas the Port of *Bridgewater* in the River *Severn* lies to the Eastward of the said Islands called *The Holmes*, and may be entered by a Passage also to the Eastward of the said Islands, but the Navigation of such Passage being dangerous, it is usual for Vessels bound down the River *Severn* to the said Port of *Bridgewater*, to pass a short Distance to the Westward of the said Islands, for the Purpose of entering the Port by a more safe Passage; and a Doubt hath in consequence arisen, whether Coals or Culm carried from any Place to the Eastward of the said Islands to the said Port of *Bridgewater*, by the latter Passage, fall within the aforesaid Exemption from Sea Duties, contained in the said Act of the Thirty-seventh Year of His present Majesty's Reign; be it therefore further enacted, That no Coals or Culm which shall be carried or conveyed either on the said *Monmouthshire* Canal, or on any of the Railways or Tramroads to be made in pursuance of this Act, and which shall be afterwards carried or conveyed to the said Port of *Bridgewater*, shall be subject or liable to the Payment of the Duties payable in respect of Coals or Culm carried by Sea, although the same shall first pass to the Westward of the said Islands, for the Purpose of entering the said Port of *Bridgewater* with greater Safety: Provided always, that no Vessel carrying Coals or Culm, shall touch at any other Port or Place to the Westward of *The Holmes* in her Voyage to *Bridgewater*; and that no such Coals or Culm shall be so carried as aforesaid, from any Port or Place in or upon the said River *Severn* to any other Port or Place in or upon the same River, free of such Duties of Customs as aforesaid, unless such Entries thereof shall be first made, and such Documents procured, as are by Law required in the Case of Coals and Culm carried Coastwise.

For exempting Coals, etc. from Duty, although they should first pass to the Westward of *The Holmes*, for the Purpose of entering the Port of *Bridgewater*.

LI. And be it further enacted, That the Costs, Charges, and Expenses, attending or incidental to the obtaining and passing of this Act, shall be

For paying the Expences of this Act.

be paid out of the Monies now in the Hands of the Treasurer of the said Company of Proprietors of the *Monmouthshire* Canal Navigation, or out of the First Monies which shall be received by him by virtue of this or the said former Acts.

Publick Act.

LII. And be it further enacted, That this Act shall be deemed and taken to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

The SCHEDULE referred to by this Act,

O F

HOUSES, GARDENS, and ORCHARDS, to be taken down or cut through upon the Tramroad from *Sirhowy* Furnaces, by *Tredegar* Iron Works, through *Tredegar* Park, to communicate with the *Monmouthshire* Canal.

Nos. on the Plan.	Owners or reputed Owners Names.	Occupiers Names.	Description.
27.	Sir Charles Morgan, Bart.	Thomas Walters and Ann Abraham	Garden.
28.	Same	Do.	Do.
43.	Walter and John Powell, Esqrs.	Reverend John Rowland	Orchard and Land.
73.	John Jones, Esq.	Thomas Saunders	Garden.
74.	Reverend Philip Williams	William Samuel	Same.
76.	Charles Morgan of Newport	In Hand	Same.
77.	Thomas Prichard, Esq.	Philip Morgan	Orchard.
81.	Miss Williams	Edward Walter	House and Garden.
84.	Same	William John David	Garden.
85.	Mary Chiney	William Timms	Same.
	Miss Williams	Ann Jenkins	House and Garden.
86.	Thomas Prichard, Esq.	Thomas Daniel	} Gardens.
87.	Sir Charles Morgan, Bart.	Michael Smith	
88.	John Jones, Esq.	Margaret Rowland	
89.	William Foster	Margaret Holliday	
90.	John Kemeys Tynte, Esq.	Lewis Williams	
91.	Sir Charles Morgan, Bart.	John Moses	} Gardens.
92.	John Jones, Esq.	Same	
93.	Sir Charles Morgan, Bart.	In Hand	Tredegar Park.
99.	Same	Edward James	Farm Yard and Lands.

UPON the Railway from *Tredegar* Iron Works to the Limestone Rock at *Trevil*, and the Branch to the Union Furnace, in the Counties of *Monmouth* and *Brecknock* :

Nos. on the Plan.	Owners or reputed Owners Names.	Occupiers Names.	Description.
115 a.	Duke of Beaufort	Morgan David	House and Garden .
115 a.	Same	Same	Same.

UPON the Branch from *Crumlin* to join the Tramroad from *Sirhowy*, at *Risca* in the County of *Monmouth* :

Nos. on the Plan.	Owners or reputed Owners Names.	Occupiers Names.	Description.
126.	Edward Rowland	John Harry, Joseph and Thomas Jones	House and Gardens.
129.	William Edward John	In Hand	House and Garden.
130.	Sir Charles Morgan, Bart.	Jane Cocker	Garden.
132.	Evan Phillips, Esq.	Thomas Harry	House and Garden.
133.	John Jones, Esq.	Edward John	Mill.
143.	Sir Charles Morgan, Bart.	John James	Garden.
148.	Samuel Glover, Esq.	William Watkin	House and Garden.
151.	William Vaughan and Co.	In Hand	Railway.
157.	Samuel Glover, Esq.	John Watkin	Garden.
158.	Capel Leigh, Esq.	Richard Thomas	Garden.
159.	Samuel Glover, Esq.	John Watkin	Garden.
160.	Edward Kendall, Esq.	In Hand	Wharf.

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