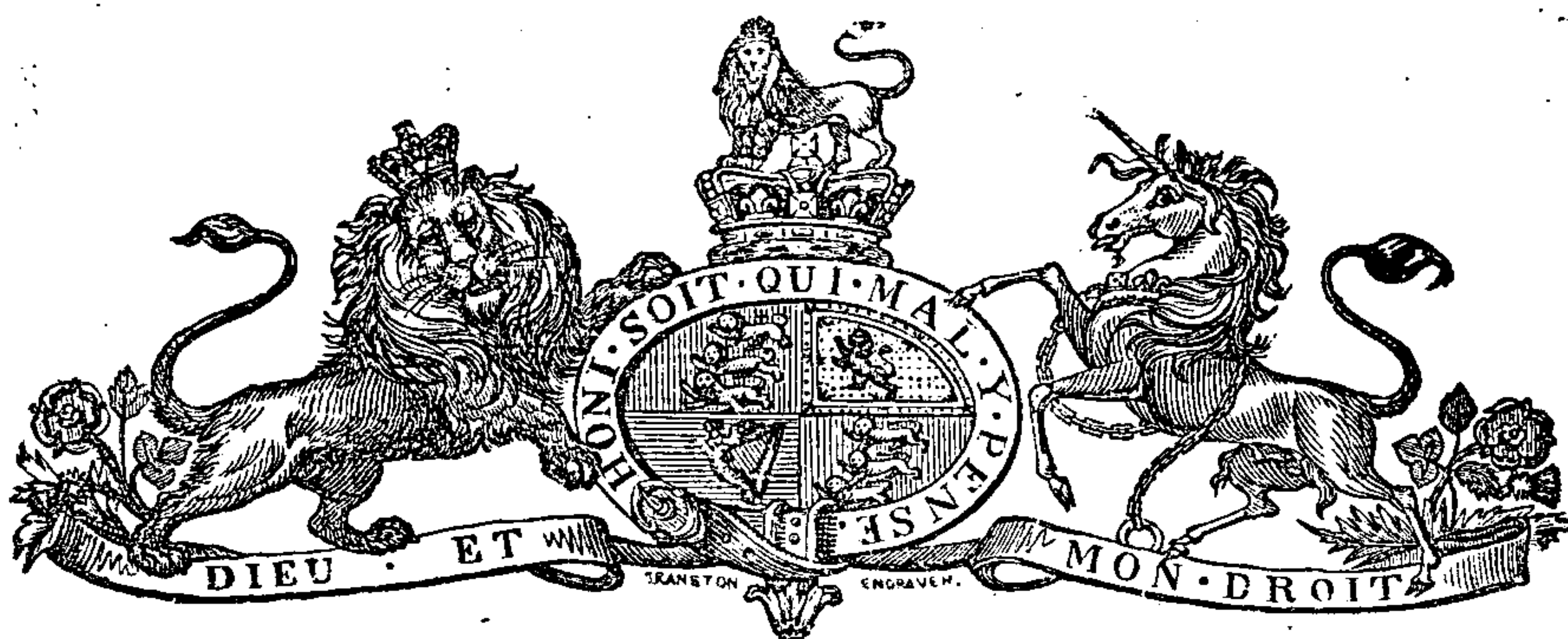




ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. clxxvii.

An Act to enable the *Newport, Abergavenny, and Hereford* Railway Company to extend their Railway from the Neighbourhood of *Pontipool* to the *Taff Vale* Railway. [9th July 1847.]

WHEREAS by the *Newport, Abergavenny, and Hereford* Railway Act, 1846, a Company was incorporated by the Name or Style of "The *Newport, Abergavenny, and Hereford* Railway Company," for making a Railway from *Newport* to *Abergavenny* and *Hereford*, with Branches therefrom: And whereas it is expedient that the *Newport, Abergavenny, and Hereford* Railway Company should be authorized to make a Railway from the Southern Terminus of their proposed Main Line in the Parish of *Llanvrechva Upper* in the County of *Monmouth* to join the *Taff Vale* Railway in the Parish of *Merthyr Tydvil* in the County of *Glamorgan*, near *Quakers Yard*: And whereas it is also expedient that some of the Powers and Provisions of the said recited Act should be amended and enlarged; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

[Local.]

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ment

9 & 10 Vict.
c. 303.

Provisions of
recited Act
extended
to this Act.

ment assembled, and by the Authority of the same, That all the Provisions contained in the said recited Act, and the Acts incorporated therewith, so far as the same are or may be applicable and now in force, and except such of them as are by this Act repealed, altered, or otherwise provided for, shall extend to this Act and to the Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the said Provisions were re-enacted in this Act in reference to such Purposes, Matters, and Things, or as if such Purposes, Matters, and Things had been originally provided for in and enacted by the said recited Act, and such Act and this Act shall be construed and read together as forming One Act.

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

II. And whereas the estimated Expence of the Extension Railway and Works by this Act authorized is Four hundred thousand Pounds; be it therefore enacted, That it shall be lawful for the said Company to raise the said Sum of Four hundred thousand Pounds by the Creation of new Shares, as they shall think fit, in addition to the Sum of Money they are authorized to raise by their former Act, or may be authorized to raise by any Act to be passed during the present Session of Parliament.

New Shares
to be subject
to the same
Provisions as
original
Shares.

III. And be it enacted, That the said Sum of Four hundred thousand Pounds so to be raised shall be considered as part of the general Capital of the Company, and shall be divided into Shares of such an Amount as shall allow them to be conveniently allotted according to the Order of any General Meeting of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital, except as to the Times of making Calls for such additional Capital, and the Amount of such Calls, which respectively it shall be lawful for the Company from Time to Time to fix as they shall think fit: Provided always, that it shall be lawful for such General Meeting to prescribe such Terms and Conditions, and to grant such Privileges and Exemptions, with respect to the said new Shares, as such Meeting may think fit.

Power to
borrow
Money on
Mortgage.

IV. And be it enacted, That after the whole of the said Sum of Four hundred thousand Pounds, by this Act authorized to be raised, shall have been subscribed for, and One Half of the Capital in Shares by this and the said recited Act limited or authorized to be raised shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, not exceeding in the whole, in addition to the Sum authorized to be borrowed by the said recited Act, and in addition to any further Sum which they may be authorized to borrow by any Act to be passed during the present Session of Parliament, the Sum of One hundred and thirty-three thousand three hundred and thirty-three Pounds.

V. And

V. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

Interest not
to be paid
on Calls
paid up.

VI. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

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

VII. And whereas Maps or Plans and Sections showing the Line and Levels of the said Extension Railway, and also Books of Reference containing the Names of the Owners and Lessees or reputed Owners and Lessees and the Occupiers of the Lands through which the same is intended to pass, have been deposited for public Inspection at the respective Offices of the Clerks of the Peace for the Counties of *Monmouth* and *Glamorgan*; be it enacted, That it shall be lawful for the Company to make and maintain the Railway and Works in the Line and upon the Lands delineated upon the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Railway to
be made
according to
deposited
Plan.

VIII. And be it enacted, That the Railway shall commence by a Junction with the intended *Newport, Abergavenny, and Hereford* Railway in the Parish of *Llanvrechva* otherwise *Llanvrechva Upper* in the County of *Monmouth*, and shall pass thence, from, in, through, or into the several Parishes, Townships, extra-parochial and other Places following, (that is to say,) *Llanvrechva* otherwise *Llanvrechva Upper*, *Panteague*, *Mynyddmaen*, *Trevethin*, *Llanhilleth*, *Penmaen*, *Clawrplwyf*, *Mynyddyslwyn*, and *Bedwas*, in the County of *Monmouth*, *Gelly Gaer*, *Cefn*, *Llanvabon Forest*, and *Merthyr Tydvil*, all in the County of *Glamorgan*, and shall terminate by a Junction with the *Taff Vale* Railway in the last-named Parish.

Line of
Railway.

IX. And be it enacted, That, subject to the Provisions of the Railways Clauses Consolidation Act, 1845, contained in reference to the crossing of Roads on the Level, it shall be lawful for the Company, in the Construction of the Railway by this Act authorized, to carry

Certain
Roads may
be crossed
on a Level.

carry the same across the several Turnpike Roads and Highways herein-after mentioned on the Level thereof; (that is to say,)

Certain public Highways numbered respectively 55 and 156 in *Panteague*, 24, 43, and 159 in *Penmain*, 82 in *Clawrplwyf*, and Number 33 in *Cefn*.

Company to erect Stations at Points of crossing, and abide by Rules, &c. of Commissioners of Railways.

X. And be it enacted, That for the greater Convenience and Security of the Public the said Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway shall cross on the Level any of the before-mentioned Roads; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Lands for extraordinary Purposes.

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

Compulsory Purchase of Lands limited.

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

Period for Completion of Works.

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

Reserving to Miss Webb the Right of carrying Roads, &c. across the Railway.

XIV. And be it enacted, That nothing in this Act contained shall prevent *Elizabeth Frances Webb*, her Heirs or Assigns, or her or their Lessees, from making and using any Roads, Watercourses or Aqueducts, across the said Railway: Provided always, that every such Road, Watercourse or Aqueduct, shall be carried across by means of a good and sufficient Bridge or Tunnel, to be carried over or under the said Railway, and which said Bridges, Tunnels, Roads, and Watercourses or Aqueducts, shall be made by and at the Expence of the said *Elizabeth Frances Webb*, her Heirs or Assigns, or her or their Lessees, and by them kept in good Repair and Condition; provided also, that such Roads shall not be used for the Purpose of diverting the Traffic from the Railway by this Act authorized, nor shall such Bridges, Tunnels, Roads, Watercourses or Aqueducts, be made so as in any way to impede the Traffic upon the said Railway,

or the free Use thereof; provided also, that nothing herein contained shall prevent or be deemed or construed to prevent the said *Elizabeth Frances Webb*, her Heirs or Assigns, from conveying by such Roads the Produce, whether mineral or otherwise, of any of the Estates of the said *Elizabeth Frances Webb*, her Heirs or Assigns, to any other Railway or Railways whatsoever.

XV. And be it enacted, That in case the aforesaid Roads, Bridges, Aqueducts, Watercourses, or Communications of any Nature or Kind whatever, be at any Time injured, impeded, or destroyed, whether above or below Ground, by the Roads or Operations of the said Railway Company, they the said Company shall, at their Cost and Expende, immediately repair or restore the same in the most efficient Manner, and also be subject to such Damages for the Obstruction or Delay as may be fair and equitable.

In case of Damage to such Roads by Company they are to repair same.

XVI. And be it enacted, That, subject to the Provisions in the Railways Clauses Consolidation Act, 1845, contained, it shall be lawful for the said *Elizabeth Frances Webb*, her Heirs or Assigns, and her or their Lessees, to lay down, for the Conveyance of her or their Minerals, or the Improvement of her or their Estates, whether mineral, woodland, manufacturing, or agricultural, any collateral Branches of Railway to communicate with the proposed Railway; and the said *Newport, Abergavenny, and Hereford* Railway Company shall not take any Rate or Toll or other Monies for the passing of any Passengers, Minerals, or other Things along any such Branch so to be made by the said *Elizabeth Frances Webb*, her Heirs or Assigns, or her or their Lessees.

Reserving to Miss Webb the Right to construct collateral Branches.

XVII. Provided always, and be it enacted, That nothing in this Act or in the Acts incorporated herewith contained shall authorize or empower the said *Newport, Abergavenny, and Hereford* Railway Company to obstruct or in any Manner interfere with the Works now existing or which may hereafter be established on the Property of the said *Elizabeth Frances Webb*, or to divert or interfere with the Supply of Water belonging thereto, or to injure any of the Ponds or Reservoirs connected therewith, except in so far as such Obstruction, Interference, Diversion, or Injury shall be necessary for and unavoidable in the due and proper Formation and Maintenance of the Railway and Works by this Act authorized, in accordance with the Plans thereof as herein-before referred to as deposited with the Clerk of the Peace for the County of *Monmouth*.

Miss Webb's Property not to be interfered with more than is absolutely necessary.

XVIII. Provided always, and be it enacted, That nothing herein-before contained shall prevent the said *Elizabeth Frances Webb*, her Heirs or Assigns, or her or their Lessees, from having all such Accommodation Works made by the said Company as she is or will be entitled to under or by virtue of the Provisions in the Railways Clauses Consolidation Act, 1845, contained.

Accommodation Works to be provided according to 8 & 9 Vict. c. 20.

XIX. And be it enacted, That nothing in this Act contained shall prevent *Capel Hanbury Leigh* Esquire, his Heirs or Assigns, or his or their Lessees, from making and using any Roads, Watercourses

Nothing to prevent C. H. Leigh, Esq. from

[*Local.*]

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or

making or
using Roads,
&c.

or Aqueducts, across the said Railway: Provided always, that every such Road, Watercourse or Aqueduct, shall be carried across by means of a good and sufficient Bridge or Tunnel to be carried over or under the said Railway, and which said Bridges, Tunnels, Roads, and Watercourses or Aqueducts, shall be made by and at the Expence of the said *Capel Hanbury Leigh*, his Heirs or Assigns, or his or their Lessees, and by them kept in good Repair and Condition; provided also, that such Roads shall not be used for the Purpose of diverting the Traffic from the Railway by this Act authorized, nor shall such Bridges, Tunnels, Roads, Watercourses or Aqueducts, be made so as in any way to impede the Traffic upon the said Railway or the free Use thereof; provided also, that nothing herein contained shall prevent or be deemed or construed to prevent the said *Capel Hanbury Leigh*, his Heirs or Assigns, from conveying by such Roads the Produce, whether mineral or otherwise, of any of the Estates of the said *Capel Hanbury Leigh*, his Heirs or Assigns, to any other Railway or Railways whatsoever.

In case
Roads, &c.
made by
Mr. Leigh
are injured
by Railway,
Company to
repair them.

XX. And be it enacted, That in case the aforesaid Roads, Bridges, Aqueducts, Watercourses, or Communications of any Nature or Kind whatever, be at any Time injured, impeded, or destroyed, whether above or below Ground, by the Roads or Operations of the said Railway Company, they the said Company shall, at their Cost and Expence, immediately repair or restore the same in the most efficient Manner, and also be subject to such Damages for the Obstruction or Delay as may be fair and equitable.

Power to
Mr. Leigh
to make
collateral
Branches.

XXI. And be it enacted, That, subject to the Provisions in the Railways Clauses Consolidation Act, 1845, contained, it shall be lawful for the said *Capel Hanbury Leigh*, his Heirs or Assigns, and his or their Lessees, to lay down, for the Conveyance of his or their Minerals, or the Improvement of his or their Estates, whether mineral, woodland, manufacturing, or agricultural, any collateral Branches of Railway to communicate with the proposed Railway; and the said *Newport, Abergavenny, and Hereford* Railway Company shall not take any Rate or Toll or other Monies for the passing of any Passengers, Minerals, or other Things along any such Branch so to be made by the said *Capel Hanbury Leigh*, his Heirs or Assigns, or his or their Lessees.

Railway not
to interfere
with existing
Works of
Mr. Leigh.

XXII. Provided always, and be it enacted, That nothing in this Act or in the Acts incorporated herewith contained shall authorize or empower the said *Newport, Abergavenny, and Hereford* Railway Company to obstruct or in any Manner to interfere with the Works now existing or which may hereafter be established on the Property of the said *Capel Hanbury Leigh*, or to divert or interfere with the Supply of Water belonging thereto, or to injure any of the Ponds or Reservoirs connected therewith, except in so far as such Obstruction, Interference, Diversion, or Injury shall be necessary for and unavoidable in the due and proper Formation and Maintenance of the Railway and Works by this Act authorized, in accordance with the Plans thereof as herein-before referred to as deposited with the Clerk of the Peace for the County of *Monmouth*.

XXIII. Provided always, and be it enacted, That nothing hereinbefore contained shall prevent the said *Capel Hanbury Leigh*, his Heirs or Assigns, or his or their Lessees, from having all such Accommodation Works made by the said Company as he is or will be entitled to under or by virtue of the Provisions in the Railways Clauses Consolidation Act, 1845, contained.

Accommodation Works to be provided according to 8 & 9 Vict. c. 20.

XXIV. And be it enacted, That all Communications between the Railway hereby authorized and the Main Line of the *Taff Vale* Railway, and all such Openings in the Ledges or Flanches of the said *Taff Vale* Railway as may be necessary for effecting such Communication, shall be made under the Direction and Superintendence and to the Satisfaction of the resident Engineer for the Time being of the *Taff Vale* Railway Company, or other Person for that Purpose authorized by the same Company.

Providing for Communication with the *Taff Vale* Railway.

XXV. And be it enacted, That, notwithstanding any thing in this Act contained to the contrary, it shall not be lawful for the Company hereby incorporated, or for any other Persons acting in execution of this Act, in any Manner, either permanently or temporarily, to enter upon, take, or use any of the Land or Property of the said *Taff Vale* Railway Company, or in any Manner to alter, vary, or interfere with the said *Taff Vale* or the *Llancaiach* Branch Railway, or any of the Works appertaining thereto respectively, save only for the Purpose of effecting the Junction hereby authorized with the Main Line of the said *Taff Vale* Railway, and of crossing on the Level the said *Llancaiach* Branch Railway.

Not to take Land of *Taff Vale* Railway Company, except under certain Circumstances.

XXVI. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice or diminish, otherwise than is herein expressly authorized, any of the Rights, Privileges, Powers, or Authorities vested in the *Taff Vale* Railway Company under their several Acts of Parliament.

Saving the Rights of the *Taff Vale* Railway Company.

XXVII. And whereas by the said recited Act it is enacted, that the Quorum of a Meeting of Directors shall be Five; be it enacted, That such Provision shall be and the same is hereby repealed, and that the Quorum of a Meeting of Directors shall be Three.

Quorum of Directors.

XXVIII. And be it enacted, That it shall be lawful for the Company to demand and receive, for the Use of the Railway hereby authorized, the same Tolls as they are authorized to take by the first-recited Act for the Railway thereby authorized.

Tolls.

XXIX. Provided always, and be it enacted, That in respect of all Persons, Animals, Articles, and Things which shall be conveyed upon the Railway hereby authorized for a less Distance than Six Miles, it shall be lawful for the Company to demand Toll as for Six Miles.

Charges for short Distances.

XXX. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act*

Railway Company to be subject to Provisions of

1 & 2 Vict.
c. 98.,
3 & 4 Vict.
c. 97.,
5 & 6 Vict.
c. 55.,
7 & 8 Vict.
c. 85., and
9 & 10 Vict.
cc. 57. & 105.

Act for regulating Railways; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or ensuing Session of Parliament, and for other Purposes in relation to Railways*; and Two Acts were passed in the last Session of Parliament, the one intituled *An Act for regulating the Gauge of Railways*, and the other intituled *An Act for constituting Commissioners of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the Extension Railway and Works by this Act authorized, or the said Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the same Railway, Works, and Company, so far as the same are applicable.

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

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

Expences of
Act.

XXXII. And be it enacted, That all Costs, Charges, and Expences of and attending the passing of this Act or incidental thereto shall be paid by the said Company, *pari passu* with the Costs, Charges, and Expences of any other Act of Parliament passed in the present Session of Parliament to which they may be liable, out of the first Monies that shall come to their Hands, and in preference to any other Payment whatever.

Short Title.

XXXIII. And be it enacted, That in reciting this Act in other Acts of Parliament, and in legal Instruments and other Documents and Proceedings, it shall be sufficient to refer to and describe it by the Title of "*The Newport, Abergavenny, and Hereford Railway (Extension to Taff Vale Railway) Act, 1847.*"

Public Act.

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