



ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

Cap. cxvii.

An Act to enable the *South Wales* Railway Company to construct new Railways to *Milford Haven* and at *Newport*, and to abandon Portions of the Lines from *Fishguard* and at *Haverfordwest*; and for other Purposes.

[17th June 1852.]

WHEREAS an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, called "The *South Wales* Railway Act, 1845," whereby certain Persons were incorporated by the Name or Style of "The *South Wales* Railway Company:" And whereas an Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, called "The *South Wales* Railway Amendment Act, 1846:" And whereas an Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, called "The *South Wales* Railway Amendment Act, 1847:" And whereas Two Acts were passed in the Session of Parliament held in the Thirteenth and Four-

8 & 9 Vict.
c. 190.

9 & 10 Vict.
c. 239.

10 & 11 Vict.
c. 109.

[Local.]

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teenth

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13 & 14 Vict. cc. 7. & 44.
14 & 15 Vict. cc. 52. & 74.

teenth Years of the Reign of Her present Majesty, called respectively "The *South Wales* Railway Extension of Time Act, 1850," and "The *South Wales* Railway Capital Act, 1850:" And whereas Two Acts were passed in the last Session of Parliament, called respectively "The *South Wales* Railway New Works Act, 1851," and "The *South Wales* Railway Capital Act, 1851:" And whereas it is expedient that the *South Wales* Railway Company should be empowered to make the new Lines of Railway herein-after mentioned to *Milford Haven* and at *Newport*: And whereas it is also expedient that the Formation of certain Portions of the authorized Line of the *South Wales* Railway from *Fishguard* and at *Haverfordwest* should be abandoned: And whereas it is also expedient that the Company should be empowered to make Arrangements with the *Taff Vale* Railway Company with respect to Station Accommodation and otherwise at *Cardiff*, and also to make Arrangements with the *Monmouthshire* Railway and Canal Company with respect to the Interchange of Traffic and otherwise between the said Companies, and also to make Arrangements with the *Newport* Dock Company with respect to the Use of a Portion of the Docks belonging to such Company, and the Works connected therewith: And whereas it is expedient that the *South Wales* Railway Company should be empowered to raise a further Sum of Money for carrying the Purposes aforesaid or some of them into effect: And whereas there are no existing Preference Shares whatever in the Capital of the said Company: And whereas it is expedient that some of the Powers and Provisions of the recited Acts should be altered, 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 assembled, and by the Authority of the same, as follows; (that is to say,)

Provisions of 8 & 9 Vict. cc. 18. & 20. incorporated with this Act.

I. That the Provisions of "The Lands Clauses Consolidation Act, 1845," and of "The Railways Clauses Consolidation Act, 1845," shall respectively, except in so far as the same may be expressly varied by the Provisions of this Act, be incorporated with and form Part of this Act.

Short Title.

II. That in citing this Act in other Acts of Parliament, and in legal Instruments, Pleadings, and other Proceedings, it shall be sufficient to use the Expression "*The South Wales* Railway Act, 1852."

Interpretation of Term "Company."

III. That in this Act wherever the Words "the Company" or "the said Company" are used the same shall be held to mean the *South Wales*

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Wales Railway Company, except where there is something in the Context repugnant to such Construction.

IV. And whereas Plans and Sections of the new Lines of Railway by this Act authorized, showing the Lines and Levels thereof respectively, together with Books of Reference to such Plans containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands and Houses proposed to be taken under the Authority of this Act, have been deposited with the Clerks of the Peace for the County of *Pembroke*, for the County of the Town of *Haverfordwest*, and for the County of *Monmouth* respectively: Be it enacted, That, subject to the Provisions in this Act and "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company to make and maintain the Railways herein-after mentioned (with all requisite and necessary Works and Conveniences connected therewith) in the Lines and according to the Levels shown upon the said Plans and Sections, and upon the Lands delineated on the said Plans and described in the said Books of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose: Provided always, that, notwithstanding anything in this Act contained, it shall not be lawful for the Company to take or use any Portion of the Lands or Property of the Right Honourable the Earl of *Cawdor*, in the Parish of *Burton*, lying beyond the Limits of Deviation defined on the Plans deposited as aforesaid.

Power to make new Lines of Railway according to deposited Plans.

V. That the new Lines of Railway to be made under the Authority of this Act shall be the following; (that is to say,)

Lines of Railway.

A Railway to commence from and out of the Line of the Branch Railway to *Haverfordwest* as authorized to be constructed by "The *South Wales* Railway Amendment Act, 1846," in a certain Field numbered on the Plans referred to in the same Act 35 in the Parish of *Uzmaston* in the County of *Pembroke*, and to terminate on the North Side of *Milford Haven* at a Point about One hundred and fifty Yards South-east of the South-eastern Corner of a Quay or Wharf situate at the Extremity of *Neyland Point* in the Parish of *Lanstadwell* in the same County:

A Railway to commence by a Junction with the Line of the *South Wales* Railway at a Point in the Field numbered on the Plans referred to in "The *South Wales* Railway Act, 1845," 164 in the Parish of *Saint Woollos* in the County of *Monmouth*, and to terminate in the same Parish by a Junction with the Railway known as the *Western Valley's* or *Newport and Pontypool* Railway at or near a Point thereon about 500 Yards to the East of the Point where the Line of the last-mentioned Railway intersects the
Line

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Line of the *South Wales* Railway, and being situate wholly within the said Parish of *Saint Woollos*.

And the said new Lines of Railway shall be and become Part of the Undertaking of the *South Wales* Railway Company.

Power to cross certain Highways on a Level.

VI. That, subject to the Provisions of "The Railways Clauses Consolidation Act, 1845," in reference to the crossing of Roads on a Level, it shall be lawful for the Company, in the Construction of the Railways by this Act authorized to be made, to carry the same across and on the Level of the several public Roads or Highways numbered on the Plans deposited as herein-before mentioned as follows; (that is to say,)

Number on Plan.	Parish.
40	Uzmaston.
7	Johnstone.
40	Lanstadwell.
49	Rosemarket.
4	Lanstadwell.

Company to erect a Station or Lodge at Points of crossing, and abide by Regulations of Board of Trade, &c.

VII. That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the several Points where the said Railways cross the before-mentioned Roads on the Level; and the said 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 Board of Trade; and if the said 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 imposed.

Board of Trade may require a Bridge to be erected in lieu of level Crossing.

VIII. That it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time, either before or after the Railways by this Act authorized to be made shall have been completed and opened for public Traffic, to require the Company, within such Time as the said Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the before-mentioned Roads either under or over the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, and to

execute

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execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

IX. That the Viaduct for carrying the Railway firstly herein-before mentioned across the River *Cleddau* near *Haverfordwest* shall be constructed with an opening Arch in such Manner as the Commissioners for executing the Office of Lord High Admiral shall in Writing under the Hand of the Secretary of the Admiralty approve of, and the Span and Headway and Waterway of the Arches or Openings for the Passage of Vessels, and the Dimensions, Construction, and Site of the said Viaduct, shall be such as the said Commissioners shall approve of as aforesaid.

Regulating
Construction
of Viaduct
across River
Cleddau.

X. That during the Construction of the said Viaduct over the River *Cleddau* and Works connected therewith the said Company shall cause to be hung out or exhibited, every Night from Sunset to Sunrise, near to the Centre of the said Viaduct, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Light shall be from Time to Time altered by the said Company in such Manner and be of such Description and be so used as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall by Writing under the Hand of the Secretary of the Admiralty approve of; and in case the said Company shall neglect during the Period aforesaid to exhibit and keep such Light burning as aforesaid, they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

During Con-
struction of
Viaduct a
Light to be
exhibited for
the Guidance
of Vessels.

XI. That it shall not be lawful for the Company, or any Person or Persons acting under them, to detain any Vessel, Barge, or Boat navigating the River *Cleddau* for a longer Space of Time than may be sufficient to admit of any Carriages or Trains regularly traversing the said Railway and approaching the said Bridge, to cross the said River *Cleddau*, and for opening the said Bridge to admit such Vessel, Barge, or Boat to pass.

Vessels not
to be unne-
cessarily de-
tained.

XII. That in constructing the Railway firstly herein-before mentioned and the Works connected therewith it shall not be lawful for the Company, at any Point between Seven Miles Seven Furlongs and the Termination of the said Railway, where the Limits of Deviation as defined on the Plans deposited as herein-before mentioned extend below High-water Mark, to deviate from the centre Line as shown on the said Plans seaward more than One Chain, without such previous Consent of the Commssioners for executing the Office of Lord High Admiral aforesaid, signified as aforesaid.

As to Devia-
tions from
centre Line.

[Local.]

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XIII. That

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Landing
Place to be
maintained
at Neyland
Point.

XIII. That the Company shall and they are hereby required to construct and at all Times maintain, for the free Use of the Public, on the West Side of *Neyland Point*, such a good and sufficient Landing Place at such Spot, and with such Approaches thereto from the nearest public Road, as the said Commissioners shall approve as aforesaid.

Power to
Admiralty to
order a local
Survey, at
the Expense
of the Com-
pany.

XIV. That if, after Working Drawings of the Works hereby authorized shall have been submitted to the Lord High Admiral of the United Kingdom, or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by him or them to order a local Survey and Examination of such Works or of the intended Site thereof, the Company shall defray the Costs of such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs, as a Penalty is or may be recoverable from the Company.

If Works
across tidal
Waters are
abandoned,
Admiralty
may remove
them at the
Expense of
the Com-
pany.

XV. That if any Work to be constructed by the Company in, affecting, or across any tidal Water or navigable River, or if any Portion of the Work which affects any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay by the Company, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Lands for
extraordi-
nary Pur-
poses.

XVI. That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes not exceeding Thirty Acres, in addition to the Lands which the Company are by the recited Acts authorized to take for such Purposes.

Limiting
Period for
compulsory
Purchase of
Lands.

XVII. That the Powers of the Company for the compulsory Purchase of Lands and Houses 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.

XVIII. That the new Lines of Railway by this Act authorized shall be completed within Five Years from the passing of this Act; and on the Expiration of such Period the Powers granted to the Company for executing the same, or otherwise in relation thereto, shall

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shall cease to be exercised, except as to so much of the said Railways as shall then be completed.

XIX. That the Railways by this Act authorized may be constructed upon the Broad Gauge of Seven Feet. Gauge of Railways.

XX. That it shall be lawful for the Company to demand any Tolls for the Use of the Railways by this Act authorized, not exceeding the following ; (that is to say,)

First, in respect of the Tonnage of all Articles conveyed thereon, or on any Part thereof, as follows : Tonnage on Articles of Merchandise.

For all Dung, Compost, and all Sorts of Manure, Lime, and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* not exceeding One Penny ; and if conveyed by Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny :

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* not exceeding Three Halfpence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny :

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Twopence ; and if conveyed on Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Threepence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny :

And for every Carriage, of whatever Description, having more than Two Wheels, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Sixpence :

And a further Sum of Twopence *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh ; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* not exceeding Twopence :

Second,

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Tolls for
Passengers
or Animals.

Second, in respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows :

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny :

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile not exceeding Threepence ; and for every Ox, Cow, Bull, or Neat Cattle, *per* Mile not exceeding Twopence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny :

For every Calf or Pig, *per* Mile not exceeding One Penny ; and for every Sheep, Lamb, or other small Animal, *per* Mile not exceeding Three Farthings ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

Tolls for pro-
pelling
Power.

XXI. That the Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per* Mile for each Passenger or Animal or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Regulations
as to the
Tolls.

XXII. That the following Provisions and Regulations shall be applicable to the fixing of such Tolls ; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles (including any other Portion of the *South Wales* Railway on which such Articles or Persons may be conveyed) the Company may demand Tolls and Charges as for Six Miles :

For a Fraction of a Mile beyond Six Miles (including as aforesaid) or beyond any greater Number of Miles the Company may demand Tolls and Charges as for One Mile :

For a Fraction of a Ton, the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton, such Fraction shall be deemed a Quarter of a Ton :

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for
small Parcels
and Articles
of great
Weight.

XXIII. That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may, with respect to small Packages and single Articles of great Weight, lawfully demand the Toll following ; (that is to say,)

For

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For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) the Company may demand any Sum which they think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per Ton per Mile*:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

XXIV. That every Passenger travelling upon the Railway may take with him at his own Risk his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof. Passengers
Luggage.

XXV. That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums: Maximum
Rates of
Charges for
Passengers,

For every Passenger conveyed in a First-class Carriage, the Sum of Threepence *per Mile*:

For every Passenger conveyed in a Second-class Carriage, the Sum of Twopence *per Mile*:

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny Halfpenny *per Mile*.

XXVI. That with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and Waggon or Trucks and locomotive Power, and every Expense incidental to such Conveyance (except the loading and unloading of Goods, where such Service is performed by the Company,) shall not exceed the following Sums: for Cattle,
Goods, &c.

For every Horse, Mule, Ass, or other Beast of Draught or Burden, the Sum of Fivepence *per Mile*:

[*Local.*]

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For

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For every Ox, Cow, Bull, or Neat Cattle, the Sum of Twopence *per Head per Mile* :

For every Calf or Pig, the Sum of One Penny *per Mile* :

For every Sheep, Lamb, and other small Animal, the Sum of Three Farthings *per Mile* :

For every Carriage, the Sum of Sevenpence *per Mile* :

For Manure, and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per Ton per Mile* :

For Coals, and other Articles herein-before classed therewith, the Sum of Twopence *per Ton per Mile* :

For Sugar, and other Articles herein-before classed therewith, the Sum of Threepence *per Ton per Mile* :

For Cotton, and other Goods and Articles herein-before classed therewith, the Sum of Fourpence *per Ton per Mile*.

Restriction
as to Charges
not to apply
Special
Trains.

XXVII. Provided always, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special Train that may be required to be run upon the said Railway, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company for the Conveyance of Passengers upon the said Railway.

Company
may take
increased
Charges by
Agreement.

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

Power to
Company to
abandon cer-
tain Portions
of Line of
Railway.

XXIX. That the Company shall abandon and relinquish the Construction of so much and such Parts of the *South Wales* Railway as now authorized as are next herein-after mentioned, (that is to say,) so much of the Railway authorized by "The *South Wales* Railway Act, 1845," as lies between the Commencement thereof at or near *Fishguard Bay* in the Parish of *Llanwnda* in the County of *Pembroke* and the Point in the Parish of *Wiston* in the same County where the Branch Line of Railway to *Haverfordwest*, as authorized by "The *South Wales* Railway Amendment Act, 1846," will join the said Railway from *Fishguard Bay*, and also so much of the Railway to the Town of *Haverfordwest* authorized by "The *South Wales* Railway Amendment Act, 1846," as lies between a certain Point in a Field numbered on the Plans referred to in the last-mentioned Act 35 in the Parish *Uzmaston* and the Terminus thereof at or near the Town of *Haverfordwest*.

XXX. Pro-

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XXX. Provided always, That in any Case where before the passing of this Act any Contract hath been entered into or Notice given by the Company for purchasing any Lands which the Company were by "The *South Wales* Railway Act, 1845," or "The *South Wales* Railway Amendment Act, 1846," empowered to purchase for the Purpose of constructing the Portions of Railway so required to be abandoned as aforesaid, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice; and the Amount and Application of such Compensation shall be determined in the Manner provided by "The *Lands Clauses Consolidation Act, 1845*," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided also, that the Authority hereby given for abandoning the Formation of the aforesaid Portions of Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions for that Purpose in the said *Lands Clauses Consolidation Act* contained.

Compensation to be made where Contracts have been entered into or Notices given.

XXXI. That nothing in this Act contained shall prejudice or affect any Contract or Agreement before the passing of this Act made and entered into by the Company with *William Edwardes*, of *Sealeyham* in the County of *Pembroke*, Esquire, for the Purchase of Lands contracted by the said *William Edwardes* to be sold and conveyed by him to the Company, and for the Amount of Compensation to be paid to the said *William Edwardes* under and by virtue of such Contract or Agreement, or impair, alter, or affect the Right either at Law or in Equity of the said *William Edwardes* to enforce such Contract or Agreement.

Act not to affect Agreement between the Company and *W. Edwardes*, Esq.

XXXII. That where any Part of the Railway so authorized to be abandoned has been made or commenced, the Company shall make to the Owners and Occupiers of the Lands adjoining the Part of the Railway so commenced or made and authorized to be abandoned Compensation, to be determined by Arbitration in manner provided by "The *Lands Clauses Consolidation Act, 1845*," for all such Injury or Damage, if any, as shall be sustained by such Owners or Occupiers by reason of the Omission to make such Gates, Passages, Drains, Watercourses, Bridges, and other Works for the Accommodation of
Lands

Compensation to adjoining Landowners in lieu of Accommodation Works.

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Lands adjoining the Railway as the Company might have been required to make if such Part of the Railway had not been allowed to be abandoned.

As to Sale of
superfluous
Lands.

XXXIII. That the Company shall, within Ten Years from the passing of this Act, absolutely sell and dispose of all the Lands which shall have been acquired by them for the Purposes of any of the Railways, Works, and Undertakings which they are by this Act required to abandon and relinquish, or which have been or at any Time shall be acquired by them for any other of their Undertakings, or for any other Purposes of the Company, and which are not or eventually may not be required for any of the Undertakings or Purposes of the Company; and the Company may lawfully hold all such several and respective Lands as aforesaid until the Expiration of the said Period of Ten Years; and the Clauses of "The Lands Clauses Consolidation Act, 1845," with respect to Lands acquired by the Promoters of the Undertaking under the Provisions of this or the Special Act, or any Act incorporated therewith, but which shall not be required for the Purposes thereof, shall be applicable to the Lands so required to be sold and disposed of by the Company as aforesaid.

Power to
make Ar-
rangements
with Taff
Vale Rail-
way Com-
pany as to
Stations at
Cardiff, &c.

XXXIV. That it shall be lawful for the Company and the *Taff Vale* Railway Company to make and enter into such Arrangements and Contracts as may be mutually agreed on between them, with respect to the Use by the said Companies or either of them of any Station or Stations of either of the said Companies at *Cardiff*, and the Works connected therewith, and with respect to the Apportionment and defraying of the Cost of the Construction and Maintenance of such Station or Stations and Works, and the Payment or Payments, whether by annual or other Sum or Sums, to be made by either of the said Companies to the other of the said Companies, for or in respect of such Station or Stations and Works or any Part thereof, or for the Use thereof, and with respect to the exclusive Appropriation to or Use by the *Taff Vale* Railway Company of a Portion or Portions of the said Station or Stations, and also with respect to the Use and working by the said Companies of their respective Lines or Portions thereof, on such Terms and Conditions in the several Cases aforesaid as shall be mutually agreed upon; and it shall be lawful for the said Two Companies to make and execute all such Deeds, Instruments, and Assurances as may be required for giving full Effect to any such Arrangements or Agreements.

Power to
make Ar-
rangements
with Mon-

XXXV. That it shall be lawful for the *South Wales* Railway Company and the *Monmouthshire* Railway and Canal Company to make and enter into such Arrangements and Agreements as may
be

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be mutually thought fit concerning any Portions of their respective Undertakings which for the Time being communicate with or are connected with each other, and as to the Receipt and Apportionment of the Tolls and Charges arising or derived therefrom, and generally as to the Conveyance and Interchange of Traffic upon their respective Railways or any Part thereof: Provided always, that no such Arrangement or Agreement shall in any Manner alter, affect, increase, or diminish any of the Tolls which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but that all other Persons and Companies shall, notwithstanding any such Arrangements or Agreements, be entitled to the Use and Benefit of such respective Railways or Portions thereof, upon the same Terms and Conditions and on Payment of the same Tolls as they would have been in case no such Arrangement or Agreement had been entered into.

mouthshire
Railway and
Canal Com-
pany as to
Interchange
of Traffic.

XXXVI. That it shall be lawful for the *South Wales* Railway Company and the *Newport* Dock Company to make and enter into Arrangements and Agreements with respect to the Appropriation to and Use by the said Railway Company of a Portion or Portions of the Docks belonging to the *Newport* Dock Company, and of the Wharfs, Staiths, Landing Places, Warehouses, and other Works and Conveniences connected therewith, and with respect to the Accommodation of the Traffic on the *South Wales* Railway, upon Payment of such Sum or Sums of Money and upon such other Terms or Conditions as may be mutually agreed upon between them.

Power to
make Ar-
rangements
with the
Newport
Dock Com-
pany as to
Use of
Docks, &c.

XXXVII. That it shall be lawful for the Company to raise by creating new Shares, in addition to the Capital which they are at present authorized to raise, any further Sum of Money not exceeding in the whole the Sum of One hundred and seventy-seven thousand Pounds; and the whole of the Money to be received by the Company under or by virtue of this Act shall be applied to the Purposes of the Undertaking of the Company authorized by the recited Acts relating to the Company and by this Act, and to no other Purpose whatsoever.

Power to
raise addi-
tional Capi-
tal by Crea-
tion of new
Shares.

XXXVIII. That such new Shares may be of such Amount, and may be issued to such Persons, at such Times, and at such Price or Prices, and in such Manner, or may otherwise be disposed of in such Manner and on such Terms, and with such special Advantages with respect to Priority or Amount of Dividend (not exceeding Seven Pounds *per Centum per Annum*) payable thereon, as by the Order of any Meeting of the Company specially convened for the Purpose shall

As to the
Creation of
such new
Shares.

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be fixed and determined; and all such new Shares shall be deemed Personal Estate, and shall be transmissible and transferable as such, in the Manner provided and directed by "The Companies Clauses Consolidation Act, 1845;" and all Persons and Corporations who shall become entitled to any such new Share or Shares, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be Owners and Proprietors of Shares in the said Undertaking, and to be interested therein, and entitled to Dividends and Profits, and to vote in respect thereof, in proportion to the Amount of such new Share or Shares; and all the Powers to make Calls, and charge Interest thereon, to sue for Calls and Interest, to forfeit and to sell Shares in case of Nonpayment of Calls, and all other the Powers, Provisoos, Indemnities, Remedies, Clauses, Matters, and Things contained in the first-recited Act with reference to the Shares in the *South Wales* Railway Company, shall apply to such new Shares and the Proprietors thereof, except as to the Time of making Calls for the said new Shares, and the Amount of such Calls, which Calls the Directors of the Company (subject as herein-after mentioned) are hereby empowered to appoint to be of such Amount and payable at such Times as they may think fit, and save so far as any other of such Powers, Provisoos, Indemnities, Remedies, Clauses, Matters, or Things are hereby expressly varied or altered; and the several Proprietors of such new Shares shall be united to and incorporated with the *South Wales* Railway Company: Provided nevertheless, that no such special Advantages with respect to Priority or Amount of Dividend on such Shares shall be assigned to any such Shares, except with the Consent of the Votes of Three Fifths of the Proprietors of the said Company present personally or by Proxy at a Meeting specially convened for such Purpose.

Calls.

XXXIX. That Twenty Pounds *per Centum* on the Amount of each Share shall be the greatest Amount of any One Call which the Directors may make on or in respect of any Shares created by virtue of this Act, and Three Months at the least shall be the Interval between successive Calls, and the aggregate Amount of Calls to be made on any One Share in One Year shall not exceed Four Fifths of the Amount of such Share.

Power to apply existing Capital, and restricting Power to raise new Capital.

XL. And whereas by reason of the Abandonment of the Portions of the *South Wales* Railway herein-before described the Cost of constructing the *South Wales* Railway as now authorized will be diminished, and the Company may be enabled to apply a Portion of the Capital by the recited Acts authorized to be raised towards the carrying of the Purposes of this Act into execution: Be it enacted, That the Company may apply and appropriate towards the Purposes of

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of this Act, and so far as may be requisite for such Purposes, any Portion of the Monies which they are authorized to raise under the said recited Acts, and which may not under the Act authorizing the raising of the same have been specifically directed to be appropriated to any particular and defined Purpose to which the same may now be applicable.

XLI. That all Mortgages or Bonds granted under the Authority of the recited Acts, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over any Mortgages or Bonds to be created by virtue of this Act.

Former
Mortgages
to have
Priority.

XLII. 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 Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend 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.

XLIII. That it shall not be lawful for the said Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, 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 any 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.

XLIV. 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 Railways*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes*

Railway 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.,
9 & 10 Vict.
c. 57., and
14 & 15 Vict.
c. 64.

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Purposes in relation to Railways; and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the last Session, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways and Works, or the said Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Works and Company, so far as the same are applicable.

Railways not exempt from Provisions of future General Acts.

XLV. That nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made or the Company from the Provisions of any General Act relating to such Act, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Expenses of Act.

XLVI. That all the Costs, Charges, and Expenses of and incidental to the obtaining of this Act and preparatory thereto shall be paid by the Company.

Saving Rights of the Crown.

XLVII. That nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to authorize the said Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues having the Management and Direction of the Land Revenues of the Crown in *Wales* first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

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