



ANNO DECIMO OCTAVO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## Cap. 1x.

An Act to enable the *Swansea Vale* Railway Company to extend their Railway, and to maintain and work the same as a Passenger Railway, and for other Purposes connected therewith.

[15th June 1855.]

**W**HEREAS under the Provisions of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, the *Swansea Vale* Railway Company was established, and in the Month of *January* One thousand eight hundred and fifty became completely registered for the Purpose of making and maintaining Railways throughout the Vale of *Swansea*: And whereas the Company have constructed, at the Cost of upwards of Eighty thousand Pounds, a Railway commonly known by the Name of the *Swansea Vale* Railway, from the Port of *Swansea* to a Point between *Graigola* and *Pontardawe* in the Parish of *Cadoxton juxta Neath* in the County of *Glamorgan*, which Railway is now and has for some Time past been in use, and has now a considerable Mineral Traffic thereupon; and the Company have purchased the whole of the Land for, and are now constructing under their existing

[Local.] 9 M Powers,

7 & 8 Vict.  
c. 110.

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Powers, that Portion of their Line which lies between the Point aforesaid and *Pontardawe*: And whereas the Capital of the Company consists of the Sum of One hundred and forty-seven thousand Pounds, divided into Two thousand one hundred Shares of the Amount of Seventy Pounds each; and Calls amounting in the whole to Sixty Pounds *per* Share on Seven hundred and thirty-three of those Shares, and to Seventeen Pounds *per* Share on One thousand and thirty-five of those Shares, have been made; and Three hundred and thirty-two Shares, the Residue of the said Two thousand one hundred Shares, remain unissued; and the total Sums received by the Company in respect of Calls amount to Sixty thousand Pounds or thereabouts: And whereas the Company, under the Provisions in the said Act contained, have raised by Loans for the Purposes of their Undertaking Sums amounting in the whole to Twenty-three thousand Pounds, and the Monies so raised have been expended partly in the Construction of their Railway and in the Purchase of Land for the same, and partly in the Purchase of Plant and Rolling Stock for working the same: And whereas it is expedient, and would be for the Public Benefit, that the Company should be empowered to extend their Railway from the present Terminus thereof at *Swansea* to a Point near to the Commencement of the new Cut in *Fabian's Bay* in the Harbour of *Swansea*, and also to construct a Branch Railway to the Wharf of the said Company at *Swansea*: And whereas for better enabling the Company to construct the intended Extension and Branch Railway, and to take Tolls in respect of their Undertaking, and to become the Owners in Fee Simple of such Portions of the Land upon which their existing Railway is constructed as they are now possessed of for Leasehold Interests only, it is expedient that further Powers should be conferred upon them; but the Objects 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,)

8 & 9 Vict.  
cc. 16. 18.  
and 20. in-  
corporated.

I. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," except such of the Provisions of those Acts as may be expressly varied by this Act, shall be incorporated with this Act.

Interpreta-  
tion of  
Terms.

II. In construing this Act, and also in construing the incorporated Acts in connexion with this Act, the Expression "the Company" shall mean the Company by this Act incorporated; and in construing this Act the Expression "the old Company" shall mean the *Swansea Vale Railway*



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Railway Company as existing immediately before the passing of this Act, and the Expression "the old Shareholders" shall mean the Persons and Corporations who immediately before the passing of this Act were Shareholders in the old Company, and the Expression "the Railway" or "the Railways" shall respectively mean the Railways of the Company either completed or in course of Completion at the Time of the passing of this Act and the Railways by this Act authorized to be constructed, unless there be something in the Subject or Context repugnant to such Construction.

III. In citing this Act for any Purpose it shall be sufficient to use Short Title. the Expression "The *Swansea Vale* Railway Act, 1855."

IV. The old Shareholders, and all other Persons and Corporations who shall become Shareholders in the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be incorporated by the Name of "The *Swansea Vale* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking within the Restrictions herein and in the said Acts contained.

Company  
incorporated.

V. Notwithstanding the passing of this Act, and the Incorporation of the Company by this Act, and except as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered by or with reference to the old Company, or the old Shareholders in that Capacity, shall be as valid as if the Company had not been incorporated by this Act; and such Incorporation and this Act respectively shall be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the Company were not incorporated by this Act, and this Act were not passed, would be incident to or consequent on any and every thing so done or suffered; and with reference to all such Rights, Liabilities, Claims, and Demands, the Company shall, to all Intents and Purposes, represent the old Company and the old Shareholders in their Capacity of Shareholders.

Saving  
previous  
Rights and  
Liabilities.

VI. All Lands, Works, Erections, Buildings, Rights, and Easements which immediately before the passing of this Act were vested in the old Company, or any Person on their Behalf, and all Rails, Plant, Materials, Implements, Matters, and Things which have been by them purchased or provided or laid down, or which immediately before the passing of this Act were the Property of or belonging to the old Company, and all other Property whatsoever belonging to the old Company, or to any Trustees on their Behalf for the Purposes of the old Company, shall be and the same are hereby vested in the Company.

Present Pro-  
perty vested  
in Company  
incorporated  
by this Act.

VII. All

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Contracts  
prior to Act  
to be bind-  
ing.

VII. All Deeds, Contracts, Bonds, and Agreements entered into or made before the passing of this Act by or with the old Company, or any Trustees or any Persons acting on behalf of the old Company, and now in force, shall be as binding and of as full Force and Effect in all respects against or in favour of the Company, and may be enforced as fully and effectually as if, instead of the old Company or the Trustees or Persons acting in behalf of the old Company, the Company had been a Party thereto; and all Bodies Politic or Corporate, and all Persons whosoever, who immediately before the passing of this Act were indebted to the old Company in any Sum of Money, shall be liable for the Payment thereof to the Company, and in case of Nonpayment thereof, or of any Part thereof, the Company may proceed for the Recovery thereof, and recover the same, in such and the same Manner, and shall have and may exercise the same Remedies in respect thereof, as if the same were due to the Company under the Provisions of this Act.

Actions, &c.  
not to abate.

VIII. Provided always, That nothing in this Act contained shall release, discharge, or suspend any Action, Suit, or other Proceeding at Law or in Equity which shall be pending by or against the old Company or any of the old Shareholders, in relation to the Affairs of the old Company, or to which the old Company or any of the old Shareholders in relation to such Affairs shall be Parties immediately before the passing of this Act; but any such Action, Suit, or other Proceeding may be maintained, prosecuted, or continued by, in favour of, or against the Company (as the Case may be), in the same Manner and as effectually and advantageously as the same might have been maintained, prosecuted, or continued by, in favour of, or against the old Company or any of the old Shareholders if this Act had not been passed, the Company being in reference to the Matters aforesaid in all respects substituted for the old Company or the old Shareholders.

Debts owing  
by or to the  
old Company  
at passing of  
Act to be  
recoverable.

IX. All Debts owing by or to the old Company immediately before the passing of this Act, together with all Interest (if any) due or to accrue due thereon, may be recovered against or by the Company in the same Manner as if such Debts had respectively been incurred by or been due to the Company, and all Securities for the same in force immediately before the passing of this Act shall be and continue in force accordingly.

Judgments  
in respect of  
existing Lia-  
bilities may  
be enforced  
against indi-  
vidual Share-  
holders,

X. Provided always, That if any Judgment shall at any Time after the passing of this Act be obtained against the Company in respect of any Debt or Liability owing or incurred by the old Company immediately before the passing of this Act, and such Judgment shall not, after due Diligence for that Purpose shall have been used, be fully satisfied out of the Property and Effects of the Company, then and in every



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every such Case such Judgment may be enforced and Execution thereof issued against the Person, Property, and Effects of any Person who shall have been a Shareholder in the old Company immediately before the passing of this Act, or at the Time at which the Contract shall have been made or Tort committed in respect of which such Debt or Liability shall have accrued or have been incurred, in the same Manner in all respects as if this Act had not been passed.

XI. Provided also, That every Person against whom or against whose Property or Effects Execution upon any such Judgment as aforesaid shall have been issued shall be entitled to recover against the Company all Loss, Damages, Costs, and Charges which such Person may have incurred by reason of such Execution; and that after due Diligence used to obtain Satisfaction thereof against the Property and Effects of the Company, such Person shall be entitled to Contribution for so much of such Loss, Damages, Costs, and Charges as shall remain unsatisfied from the several other Persons against whom Execution upon such Judgment obtained against the Company might also have been issued under the preceding Section; and that such Contribution may be recovered from such Persons as aforesaid, in the same Manner as Contributions in ordinary Cases of Copartnership.

Reimbursement of Shareholders against whom Execution issued in respect of existing Liabilities.

XII. Every Trustee or other Person in whom or in whose Name any Lands, Works, Erections, Buildings, or Property belonging to the old Company were vested immediately before the passing of this Act, and who shall have entered into any Bond, Covenant, Contract, or Engagement in respect of or with reference to such Lands, Erections, Buildings, or Property, or who shall have entered into any other Contract on behalf of the old Company, shall be indemnified and saved harmless out of the Funds or Property of the Company from all Liability, and against all Loss, Costs, Charges, and Expenses, which he may sustain, incur, or be put unto by reason or in consequence of his having entered into any such Bond, Covenant, Contract, or Engagement.

Trustees of the Company to be indemnified.

XIII. The Capital of the Company shall be One hundred and forty-seven thousand Pounds.

Capital.

XIV. The Capital shall be divided into Four thousand two hundred Shares of the Amount of Thirty-five Pounds each.

Number and Amount of Shares.

XV. One thousand four hundred and sixty-six of the said last-mentioned Shares shall be designated and registered, and distinguished in the Certificates issued by the Company, as "Original Shares No. 1," and Two thousand and seventy of those Shares shall be designated and registered, and distinguished in such Certificates, as "Original Shares No. 2," and the remaining Six hundred and sixty-four Shares shall

Names of Shares.

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be designated and registered, and distinguished in such Certificates, as "New Shares."

Certain  
Shares to be  
vested in old  
Share-  
holders.

XVI. The Original Shares No. 1. shall vest in the Persons who immediately before the passing of this Act were entitled to the Seven hundred and thirty-three existing Shares in the Capital of the Company of Seventy Pounds each, on which Sixty Pounds *per* Share has been called up, in substitution for the Shares to which they were so entitled as aforesaid, and in the Proportion of Two Original Shares No. 1. for each such existing Share; and the Original Shares No. 2. shall vest in the Persons who immediately before the passing of this Act were entitled to the other existing Shares in the Capital of the Company, in substitution for the Shares to which they were so entitled, and in the Proportion of Two Original Shares No. 2. for each such existing Share; but in each Case subject to the same Trusts, Provisions, and Liabilities as immediately before the passing of this Act affected the Shares for which such Original Shares No. 1. and Original Shares No. 2. respectively are substituted, and so as to give Effect to and not to revoke any Will or Testamentary Disposition of or affecting the same.

Old Share-  
holders to  
deliver up  
Certificates.

XVII. The old Shareholders shall deliver up the Certificates of Proprietorship issued to them previously to the passing of this Act, before they shall be entitled to any Certificates of Proprietorship of Shares under this Act.

New Shares  
to be offered  
to Holders of  
old Shares.

XVIII. The New Shares shall be offered to the Holders of Original Shares No. 1. and Original Shares No. 2. in proportion (as near as may be) to the Number of such Shares held by them respectively, and such new Shares shall be offered to them at par, and such Offer shall be made under the Hand of the Secretary of the Company given to every Shareholder or sent by Post addressed to him according to his Address in the Shareholders Address Book, or left for him at his usual or last known Place of Abode in *England*, and every such Offer made by Letter sent by Post shall be considered as made on the Day on which such Letter in the ordinary Course of Delivery ought to reach the Place to which it is addressed.

Vesting of  
new Shares.

XIX. The New Shares so offered shall vest in and belong to the Shareholders who accept the same: Provided always, that if any Shareholder fail for One Month after such Offer of New Shares to accept the same, the Directors of the Company may dispose of the same as they think fit.

Calls.

XX. Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and  
Two



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Two Months at the least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share.

XXI. One Half of the Amount paid up before the passing of this Act upon each existing Share (whether in Payment of Calls actually made or in anticipation of Calls) shall be deemed to have been paid up upon each Share substituted under the Provisions of this Act for such existing Share, and One Half of the Arrears of Calls due at the Time of the passing of this Act upon any existing Share shall be deemed to have been called for, and to be due upon and in respect of each of the Shares so substituted for such existing Share; and if the Arrears so to be deemed due upon and in respect of any such substituted Share shall not be paid within Two Months from the passing of this Act, the Directors may proceed to the Forfeiture and Sale of such substituted Share in the Manner in that Behalf provided by "The Companies Clauses Consolidation Act, 1845."

Extent to which substituted Shares shall be deemed paid up.

XXII. No further Call shall be made upon the Original Shares No. 1. until Calls amounting in the aggregate (inclusive of Calls made previously to the passing of this Act) to Thirty Pounds *per* Share in respect of the Original Shares No. 2., and in respect of the New Shares, shall have been made.

For equalising the Calls on the Shares.

XXIII. The Proprietors of Shares shall be entitled to Dividends or Profits in respect of such Shares in proportion to the Amount which shall have been called for and paid on such Shares and the Shares for which the same are respectively substituted, at the Time of declaring such Dividends respectively.

Proprietors of Shares to be entitled to Dividends in proportion to Amounts paid up.

XXIV. It shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole (inclusive of the Monies now due from them on Mortgages or Bonds) the Sum of Forty-nine thousand Pounds, but no further Sum beyond the Sums already borrowed by the Company shall be borrowed until the whole of the said Capital or Sum of One hundred and forty-seven thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Power to borrow on Mortgage.

XXV. All Mortgages granted by the old Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall have Priority over all Mortgages granted by virtue of this Act.

Priority of existing Mortgages.

XXVI. All

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Application  
of Money.

XXVI. All Monies received by the Company under the Powers of this Act, by Shares or by borrowing, shall be applied only to the Purposes of the Undertaking of the Company.

Mortgages  
and Bonds  
may be  
issued in  
satisfaction  
of existing  
Debt.

XXVII. The Company, with the Consent of any Persons being Creditors of the old Company, may grant to such Persons Mortgages or Bonds in satisfaction of their respective Debts or any Parts thereof respectively; provided always, that to the Extent of the aggregate Amount secured by the Mortgages or Bonds so granted, the Powers of borrowing by this Act conferred on the Company shall be deemed to be exercised, and the Company shall not thereafter borrow any greater Sum in the whole than will (with such aggregate Amount) make up the total Sum by this Act authorized to be borrowed.

Interest or  
Dividend  
not to be paid  
on Calls paid  
up.

XXVIII. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Powers of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

XXIX. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised, 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 Company to construct any other Railway or execute any other Work or Undertaking.

Number and  
Qualification  
of Directors.

XXX. The Number of Directors shall be Four, and the Qualification of a Director shall be the Possession in his own Right of Shares in the Undertaking of the aggregate nominal Value of One thousand Pounds.

Power to  
vary the  
Number of  
Directors.

XXXI. It shall be lawful for the Company from Time to Time to alter the Number of Directors, provided that the Number do not at any Time exceed Eight nor be less than Four.

Directors.

XXXII. The Persons who at the Time of the passing of this Act are the Directors of the old Company shall be the First Directors of the Company, and they shall continue in Office until the First Ordinary Meeting



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Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

XXXIII. The Quorum of a Meeting of Directors shall be Three. Quorum.

XXXIV. The Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be a Newspaper usually circulated in the County of *Glamorgan*. Newspaper for Advertisements.

XXXV. And whereas Plans and Sections of the proposed Extension and Branch Railway showing the Lines and Levels thereof respectively, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands which are or may be required for the Purposes thereof, were deposited with the respective Clerks of the Peace for the Counties of *Glamorgan* and *Brecon* in the Month of *November* One thousand eight hundred and fifty-four: Therefore, subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Company to make and maintain the said Extension and Branch Railway in the Lines and upon the Lands delineated in the said deposited Plans of such Extension and Branch Railway, and described in the said Books of Reference to such Plans, and according to the Levels defined on the said Sections, and to enter upon and take and use such of the said Lands as shall be necessary for such Purposes. Power to make Railway according to deposited Plans.

XXXVI. The Works by this Act authorized comprise the following new Works: Description of Works.

The Extension of the existing Railway from the present Terminus thereof at *Swansea* to a Point near to the Commencement of the new Cut in *Fabian's Bay* in the Harbour of *Swansea*:

The Construction of a Branch Railway from the said existing Railway at or near to a Place called *Pentreguinea* on the East Bank of the said new Cut in the Harbour of *Swansea*, and terminating at a Point about Sixty Yards below *Pottery Bridge* over the Town Float, on the Wharf of the Company situate on the East Side of the said Float.

XXXVII. The Quantity of Land to be taken by the Company for extraordinary Purposes, as defined in "The Railways Clauses Consolidation Act, 1845," in addition to the Lands now in the Occupation of the Company, shall not exceed Ten Acres. Lands for extraordinary Purposes.

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XXXVIII. The

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Period for  
compulsory  
Purchase  
of Lands  
limited.

XXXVIII. 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 Two Years from the passing of this Act.

Period for  
Completion  
of Works.

XXXIX. The Railway shall be completed within Four Years from the passing of this Act, and on the Expiration of that Period the Powers hereby granted to the Company for making the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

After Time  
limited no  
Dividend to  
be paid until  
Completion  
of Works.

XL. If on the Expiration of the Period by this Act limited for the Completion of the Railway the same shall not be completed and opened for Public Traffic, no Dividend or Interest shall be paid on any Stock or Shares in the Capital of the Company from the Expiration of that Period until the Railway shall be completed and opened for Public Traffic.

Tolls.

XLI. It shall be lawful for the Company to demand and receive any Tolls for the Use of their Railways, not exceeding the following; (that is to say,)

Tonnage on  
Articles of  
Merchan-  
dise.

In respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof, as follows:

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, and Iron Ore, *per Ton per Mile* not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Pit Wood for the Use of Mines and Collieries, and for all 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 One Penny Halfpenny; 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, Dyewood, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Twopence; and if conveyed in 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:

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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 Four Tons, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Twopence.

In respect of Passengers and Animals conveyed in Carriages upon their Railways, as follows : Tolls for Passengers and Animals.

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.

XLII. Subject to the special Provisions in this Act contained as to the Tolls payable for the Carriage of Ballast and Spoil, the Tolls which the Company may demand for the Use of Engines for propelling Carriages on their Railways 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 authorized to be taken. Tolls for propelling Power.

XLIII. Subject to the special Provisions aforesaid, the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,) Regulations as to the Tolls.

For Articles, Animals, or Persons conveyed on their Railways or any Part thereof for a less Distance than Three Miles, the Company may demand the Tolls and Charges by this Act granted as for Three Miles, except in the Case of Coal, Culm, Ironstone, Iron Ore, and Limestone, conveyed in Quantities not less than Forty Tons at the same Time and belonging to the same Person or Persons :

For a Fraction of a Mile beyond any integral Number of Miles the Company may claim Tolls on Animals, Merchandise, and other Articles for such Fraction in proportion to the Number of Quarters of a Mile contained therein; and if there be a Fraction of a Quarter of a Mile, such Fraction shall be deemed a Quarter of of



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of a Mile ; and in respect of Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a 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.

XLIV. For the Carriage of small Parcels, and single Articles of great Weight, the Company may (notwithstanding the Rates of Tolls prescribed by this Act) lawfully demand any Tolls not exceeding the following ; (that is to say,)

For any Parcel not exceeding Seven Pounds in Weight, Fourpence :

For any Parcel exceeding Seven Pounds and not exceeding Fourteen Pounds in Weight, Sixpence :

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, One Shilling :

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, Two Shillings :

For any Parcel exceeding Fifty-six Pounds and not exceeding One hundred and twelve Pounds in Weight, Three Shillings and Sixpence :

And for any Parcel exceeding One hundred and twelve Pounds and not exceeding Five hundred Pounds in Weight, any Sum which the Company 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, Bob, 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* ; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Twopence :

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.

XLV. The



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XLV. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon their Railways, 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 ;

For every Passenger conveyed in a First-class Carriage, the Sum of for Passen-  
gers ;  
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 *per* Mile.

XLVI. 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 their Railways 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 Animals,  
Goods, &c.

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

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

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

For every Carriage not weighing more than Four Tons, the Sum of Sevenpence *per* Ton *per* Mile :

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

For Pit Wood, and other Articles herein-before classed therewith, the Sum of One Penny Three Farthings *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.

XLVII. The Company may demand and take reasonable Charges for loading and unloading Goods, and for collecting, receiving, delivering, and providing Covers for Goods and Animals, and other Services incidental to the Business of a Carrier, where such Services are performed by the Company, on their being required so to do. Charges for  
loading, &c.

XLVIII. Every Passenger travelling upon the Railway may take with him his ordinary Luggage not exceeding One hundred and twelve Passengers  
Luggage.  
[*Local.*] 9 P Pounds



*The Swansea Vale Railway Act, 1855.*

Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Restrictions  
on Charges  
not to apply  
to Special  
Trains.

XLIX. The Restrictions in this Act contained as to the Charges to be made for Passengers, Animals, and Goods shall not extend to any Special Train required to be run upon the Railways, but only to the Ordinary and Express Trains from Time to Time appointed by the Company, and to all Traffic which the Company may from Time to Time be compellable to forward over their Railways.

Company  
may take  
increased  
Charges by  
Agreement.

L. Nothing in this Act contained shall prevent the Company from taking any increased Charges over and above the Charges hereinbefore limited for the Conveyance of Animals or Goods of any Description by Agreement with the Owners of or Persons in charge of such Animals or Goods, either in respect of the Conveyance of such Animals or Goods (except small Parcels) by Passenger Trains, or in respect of any other special Service performed by the Company in relation to such Animals or Goods.

Confirming  
Agreement  
between  
Company  
and South  
Wales Rail-  
way Com-  
pany.

LI. And whereas an Agreement was made and entered into between the Company and the *South Wales* Railway Company, bearing Date the Twenty-third Day of *December* One thousand eight hundred and fifty-four, a Copy whereof is set forth in the Schedule to this Act annexed: Therefore the said Agreement shall be and the same is hereby declared to be binding upon the said Two Companies respectively, who are hereby respectively empowered and required to observe and fulfil the Covenants and Conditions therein contained; and it shall be lawful for the Company, in pursuance of the said Agreement, to adapt their Railways to the Guage of Seven Feet, as well as to the existing Guage of Four Feet Eight Inches and a Half.

Level of  
new Cut not  
to be altered.

LII. And whereas the Railway is intended to be carried over the said new Cut: Be it enacted, That the Company shall not alter the Level of the said new Cut or any Part thereof.

Lights to be  
exhibited at  
Viaduct over  
the new Cut.

LIII. During the Construction of the intended Viaduct over the said new Cut and Works connected therewith, the Company shall cause to be hung out and exhibited every Night from Sunset to Sunrise a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels; and for ever after the Completion of the said Viaduct the Company shall cause to be hung  
out



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*The Swansea Vale Railway Act, 1855.*

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out or exhibited upon or near to the Centre of the said Viaduct, every Night from Sunset to Sunrise, 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 Lights shall be from Time to Time altered by the Company in such Manner, and be of such Description, and be so used and placed 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 Company shall neglect to exhibit and keep either of such Lights burning as aforesaid, they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

LIV. The Viaduct for carrying the Railway across the said new Cut shall be an opening one, and shall be made square with the new Cut, and be made of such Materials and be so constructed as to interfere in as small a Degree as possible with existing Quays and Wharfs, and the precise Position and Plan of and Materials of Construction for such Viaduct shall be such as shall be previously approved of by the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral, by Writing under the Hand of the Secretary of the Admiralty.

As to Construction of Viaduct across the new Cut.

LV. It shall not be lawful for the Company to deviate Riverward or Seaward of the Black continuous centre Line of Way shown on the Plans deposited at the Admiralty, or to construct in, under, over, through, or across any tidal or navigable Water or River any Work without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, may approve, such Approval being signified as last aforesaid; and when any such Deviation or Work shall have been made or constructed, it shall not be lawful for the Company at any Time to alter or extend the same without obtaining previously to making any such Alteration or Extension the like Consent or Approval; and if any such Deviation or Work shall be commenced or completed, or be altered or extended, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, 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

Works not to be constructed without the Consent of the Lords of the Admiralty.

*The Swansea Vale Railway Act, 1855.*

from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Company  
not to detain  
Vessels.

LVI. 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 said new Cut for a longer Space of Time than may be sufficient to admit of any Carriage or Trains regularly traversing the Railway and approaching the said Viaduct or Bridge to cross the said new Cut, and for opening the said Viaduct or Bridge to admit such Vessel, Barge, or Boat to pass; and in case the Company, or any Person or Persons acting under them, shall detain any such Vessel, Barge, or Boat contrary to the Provisions of this Act, or demand, take, or receive any Toll for the Passage of any Person or Persons, Vessel, Barge, or Boat, the Company or every Person so offending shall in every such Case forfeit and pay the Sum of Ten Pounds; but nothing in this Act shall prevent any Remedy for Damages which any Party may sustain in respect of any such Detention as aforesaid.

Admiralty  
may order  
local Survey  
at Expense  
of Company.

LVII. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every 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 Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

Bridge over  
new Cut to  
be kept open  
during Tide  
Time.

LVIII. Such Viaduct or Railway Bridge shall be kept open by and at the Expense of the Company from Two Hours before High Water each Tide until Two Hours after High Water, and also at such other Times as the Harbour Master of *Swansea* Harbour for the Time being or his Deputy shall direct, for the convenient Navigation of the said Cut; and in case the Company shall neglect to keep open such Viaduct or Bridge as aforesaid, they shall pay for every such Neglect to the *Swansea* Harbour Trustees the Sum of Ten Pounds.

Company to  
extend Rail-  
way to  
Wharf be-  
longing to  
Harbour  
Trustees.

LIX. The Company shall and they are hereby required to construct and extend the Railway so as to reach to and communicate with a certain Piece of Land or Wharf, numbered 12 on the deposited Plans, in the Hamlet of *Saint Thomas*, belonging to the said *Swansea* Harbour Trustees, and shall enable and permit the Trustees, or other the Owner of such Land for the Time being, to make and lay down Railroads,



*The Swansea Vale Railway Act, 1855.*

Railroads, Tramroads, and other Communications with and into the Railway Works and Station, subject to the Regulations and Provisions of "The Railways Clauses Consolidation Act, 1845;" and in case any Difference shall arise between the Company and the Trustees as to the Mode of extending such Communication, the same shall be referred to Arbitration.

LX. The Company shall and they are hereby required to carry any Ballast brought into *Swansea* Harbour aforesaid, and any Spoil and other Matter excavated from the Bed and Sides of any Part of the River *Tawe*, new Cut, and the Town Float within the said Harbour, for any Distance not exceeding Four Miles, at the Charge of Twopence *per Ton*, and for any further Distance at the Rate of One Halfpenny *per Ton per Mile*: Provided always, that such Ballast, Spoil, and other Matter shall be delivered on and taken off the said Railway by the said Harbour Trustees and in their Waggon; and the said Company shall provide and maintain proper and sufficient Turns-out to enable the said Harbour Trustees to communicate with the said Railway at such One Place as they may from Time to Time reasonably require to join or communicate with or leave the said Railway for the Purpose of removing and depositing such Ballast, Spoil, or other like Matter.

Company to carry Ballast and Spoil, &c. at One Halfpenny per Ton per Mile.

LXI. Whereas by "The *Swansea* Harbour Act, 1854," the said Harbour Trustees are entitled to a full and free Passage on each Side of the said Cut, the whole Length thereof, to the Breadth of Sixteen Feet on each Side thereof, for the Purposes of an open and public Towing-path, and on the Western Side of the said Cut the said Harbour Trustees are entitled to the public Carriageroad of the Breadth of Forty Feet, in addition to and besides the Towing-path above mentioned, as an open and public Road or Carriageway: And whereas the said Railway is proposed to be carried over such several Towing-paths and the said Road: It is hereby enacted, That nothing in this Act contained shall be construed to extend to abridge or take away the Rights of the said Harbour Trustees to the said several Towing-paths or the said Road, or to prejudice, abridge, or take away the necessary and sufficient Enjoyment by the Public in such Towing-paths and Road.

Act not to abridge Rights of Harbour Trustees in Towing-paths and Road.

LXII. If any Work be constructed by the Company in, under, or across any tidal or navigable Water or River, or if any Portion of such Work which affects any such Water or River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, 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

If Works abandoned, Admiralty may remove same at Expense of Company.

[*Local.*]

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Cost



*The Swansea Vale Railway Act, 1855.*

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.

Power to  
purchase  
Reversion of  
Lands now  
held by  
Company.

LXIII. The Company may purchase, compulsorily or by Agreement, all Estates and Interests not now vested in them of, in, and to any Lands on which their existing Railway is constructed; and the Clauses and Provisions of "The Lands Clauses Consolidation Act, 1845," with respect to Interests in Lands which have by Mistake been omitted to be purchased shall extend and apply to those Lands; and for the Purposes of those Clauses and Provisions, those Lands shall be deemed and taken to be Lands which under the Provisions of this Act the Company as Promoters of the Undertaking were authorized to purchase, and which will be permanently required for the Purposes of this Act; and those Clauses and Provisions shall extend to and include any Estate, Right, Title, or Interest in, or Charge affecting those Lands which the Company have been unable to purchase in consequence of the Persons entitled or claiming to be entitled thereto having been under any Disability or Incapacity to convey, or having had limited Interests only in such Lands, or not having been able to make a good Title thereto.

Saving  
Rights of the  
Duke of  
Beaufort.

LXIV. Provided always, That, except as is by this Act expressly provided, this Act or anything therein contained shall not affect, prejudice, alter, diminish, abridge, or take away the Royalty, Right, or Property of the Duke of *Beaufort*, his Heirs, Successors, or Assigns, in and to the Water Channel and Soil of the River of *Swansea* otherwise *Tawe*, and the Port and Harbour thereof, and the Fisheries therein, and the said River itself, or his or their Right, Power, or Authority to remove and prevent any present and future Weirs and Erections thereon, and to stop and impede any present or future Watercourses, Diversions, and perfect Use of the Streams thereof, in anywise whatsoever, or in any Manner affect, prejudice, abridge, diminish, alter, or take away any Royalties, Rights, Properties, Duties, Tolls, Payments, Powers, Authorities, Jurisdictions, Privileges, Liberties, and Franchises whatsoever of or belonging to the Duke, his Heirs, Assigns, or Successors, in the Seigniories of *Gower* and *Kilvey*, as Lord or Lords thereof and otherwise, or of any future Lords or Ladies thereof, or as Admiral or Admirals of the Seas, Bays, Havens, Creeks, Ports, and Rivers within, bordering on, and surrounding the same, or of his or their Officer or Officers in their respective Duties within the same, but the same respectively shall remain to him and them entire, wholly, and altogether as if this Act had not passed.

Company to  
afford Facili-  
ties of Com-

LXV. And whereas, under an Act of Parliament of the Thirty-fourth Year of the Reign of King *George* the Third, Chapter 109, relating



*The Swansea Vale Railway Act, 1855.*

relating to the *Swansea* Canal, certain Powers are reserved or given to the Company of Proprietors of the said Canal, or the Owners of any Manors or Estates or Lands containing any Mines, Seams, or Veins of Iron, Iron Ore, Rotten-stone, Ironstone, Lead, Coals, Culm, Clay, or other Minerals, or any Quarries of Limestone, Slate, Tiles, or other Stones, or Proprietors of any Iron Furnaces, Forges, or other Works, or the Renters, Lessees, or Occupiers of the same or any or either of them, situate within certain Distances of the said Canal, and also to the Duke of *Beaufort* or such other Person entitled as aforesaid to that Part of the said Canal which passes through the Fee of *Trewyddfa* respectively, to make Drains, Railways, Waggon Roads, and navigable Cuts to the Extent and within the Manner specified in the said Act, in order to communicate with the said Canal: And whereas the Railway hereby authorized may intervene between the said Canal and some of the Lands, Mines, or Works in respect of which such Powers are reserved or given as aforesaid: Be it enacted, That in the event of the Company of Proprietors of the *Swansea* Canal Navigation, or other Persons lastly herein-before mentioned, or the said Duke of *Beaufort*, or the other Persons entitled to that Part of the said Canal which passes through the Fee of *Trewyddfa*, being desirous to make or procure to be made any such Drains, Railways, Waggon Roads, or navigable Cuts respectively, to communicate with the said *Swansea* Canal, the Company shall afford all requisite and proper Facilities for the Formation thereof respectively where necessary, either over, under, across, or by the Side of the Railway hereby authorized; and in the event of the Costs of making such Railways, Waggon Roads or navigable Cuts respectively, under the Provisions of the said Canal Act, either under, over, or across, or by the Side of the said Railway, being increased by or in consequence of the said Railway or Works connected therewith, then such increased Cost shall be defrayed by the Company; and if any Difference shall arise between the Company and any Person so desirous to make or procure to be made any such Drains, Railways, or Waggon Road, or navigable Cut, or between the Company and the said Company of Proprietors of the *Swansea* Canal Navigation, or between the Company and the Duke of *Beaufort* or such other Person entitled as aforesaid, either as to the Mode of carrying the same over, under, across, or by the Side of the Railway, or as to the Place where the same should be so carried, or as to the Facilities to be afforded by the Company for the Purposes thereof, or as to the Use thereof at any Time thereafter by the Owners, Lessees, or Occupiers thereof, or other the Persons or Person entitled to such Use, such Difference shall be settled by Arbitration according to the Mode prescribed by "The Lands Clauses Consolidation Act, 1845."

munication  
with Swan-  
sea Canal.

LXVI. Inasmuch as an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance*

Railway to  
be subject  
to Provisions  
of 1 & 2 Vict,  
c. 98.,

*The Swansea Vale Railway Act, 1855.*

3 & 4 Vict.  
c. 97.,  
5 & 6 Vict.  
c. 55.,  
7 & 8 Vict.  
c. 85.,  
9 & 10 Vict.  
c. 57.,  
14 & 15 Vict.  
c. 64., and  
17 & 18 Vict.  
c. 31.

*Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her present 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 present 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 in relation to Railways*; and another Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the Fifteenth Year of the Reign of Her present Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways*; and another Act was passed in the Eighteenth Year of Her present Majesty, intituled *An Act for the better Regulation of the Traffic on Railways and Canals*: Nothing in this Act contained shall be held to exempt the Railway or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the Railway and to the Company, so far as the same shall be applicable thereto.

Railway not  
exempt from  
Provisions of  
future General  
Acts.

LXVII. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, 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 Rates of Fares and Charges or of the Tolls for small Parcels authorized by this Act.

Expenses of  
Act.

LXVIII. The Costs, Charges, and Expenses of obtaining this Act and incident thereto shall be paid by the Company.



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*The Swansea Vale Railway Act, 1855.*

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The SCHEDULE to which the foregoing Act refers.

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(COPY.)

AN AGREEMENT entered into this Twenty-third Day of December One thousand eight hundred and fifty-four, between The South Wales Railway Company of the one Part, and The Swansea Vale Railway Company (registered and incorporated under the Provisions of the Statute 7 and 8 Vic. c. 110.), of the other Part.

WHEREAS the said Swansea Vale Railway Company are possessed of a Railway terminating on the Eastern Side of the Harbour of Swansea, and it is stipulated and intended by them that their Line of Railway shall be extended on the existing Gauge of Four Feet Eight and a Half Inches up the Swansea Valley, to connect it with the various Railways now existing in the said Valley: And whereas the South Wales Railway Company are desirous of securing that their Traffic should be forwarded to the Eastern Side of the Port and Harbour of Swansea over the said Railway of the Swansea Vale Railway Company, by means of additional Rails adapted to the Broad Gauge, so as to afford a continuous Communication between the Main Line of the South Wales Railway at or near Pwllmaur and such Eastern Side of the Port and Harbour of Swansea: And whereas the said South Wales Railway Company are also desirous that such Broad Gauge should, in certain Events, be hereafter extended up the Swansea Valley as far as Ynisedwyn: And whereas the South Wales Railway at present crosses the Line of the Swansea Vale Company on a Level in the Parish of Lansamlet, and the Swansea Vale Company have a Claim upon the South Wales Company for Compensation in respect of the Damage and Inconvenience which has or may be occasioned by such crossing:

It is hereby agreed by and between the said Parties hereto,—

1. That the Swansea Vale Company shall, within Eighteen Calendar Months from the Date hereof, complete, by means of an  
[Local.] 9 R additional

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*The Swansea Vale Railway Act, 1855.*

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additional Rail or additional Rails, the Broad Gauge Communication, with all the usual and proper Conveniences, from the crossing of the Swansea Vale Railway by the South Wales Railway at or near Pwllmaur in the Parish of Lansamlet, to the new Cut, Wharves, and Southern Terminus of the Swansea Vale Railway, such Broad Gauge to be made double if and when a Second Narrow Gauge is laid down.

2. The South Wales Railway Company shall, in consideration of their doing so, make and maintain for the Interchange between the Two Lines of all Goods and Mineral Traffic, whether requiring to be transferred between the Narrow and Broad Gauge Trucks or to be forwarded in the same Trucks, a convenient Station and Sidings at or near the Crossing, and do the necessary Work in connexion with the same, such Station and Sidings to be provided and ready when and as a single Line of Broad Gauge, mentioned in Article 1, is open for Use: Provided always, that nothing herein contained shall mean or include Provision for the forwarding of any Goods or Minerals, or other Traffic, except those coming to or departing from the Swansea Vale Railway.

3. The Swansea Vale Company are to be bound to afford to the South Wales Railway Company, and all other Parties desirous of effecting Junctions or Communications with their Railway on the Broad Gauge, all reasonable and proper Facilities for their so doing.

4. Either Company to forward to its Destination with due Speed and Facility all Traffic brought by the other Party.

5. All Works to be done by the South Wales and the Swansea Vale Companies respectively under and in pursuance of this Agreement to be constructed in a sufficient and proper Manner, and, in case of Difference between the Two Companies, to the Satisfaction of the Board of Trade.

6. In the event of the Swansea Vale Company extending their Line of Railway up the Swansea Valley, then upon the Application of any Three Persons being Owners or Lessees of Mineral Property or Works in the Swansea Valley, and upon its appearing to the Board of Trade that Public Convenience requires it, and that there is a fair Prospect of reasonable Remuneration in respect of the additional Outlay, the Swansea Vale Company shall also complete



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*The Swansea Vale Railway Act, 1855.*

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plete a Broad Gauge Communication upon the Main Line, with all usual and proper Conveniences, by continuing the same from the Junction of the Two Lines at or near Pwllmaur to Yniscedwyn, such Broad Gauge Communication to be in the first instance a single Line, and to be completed afterwards as a double Line if and when a double Narrow Gauge is laid; but it is not intended that the South Wales Company shall be entitled to claim under the Terms of this Agreement any additional Broad Gauge Rails on any Extension of the Swansea Vale Railway beyond Yniscedwyn, which may be constructed for the Accommodation of the local Traffic of the Swansea Valley, or on any Branches constructed for the same Purpose.

7. And whereas the South Wales Railway crosses the Swansea Vale Railway on a Level at Pwllmaur in the Parish of Lansamlet, and it is expedient that proper Regulations should be made in relation to such Crossing: And whereas it would be for the Convenience of the South Wales Railway Company that before their Trains start from the Lansamlet or Landore Stations, Telegraphic Signals should communicate with the said level Crossing, and that the Swansea Vale Trains should be delayed so as to allow the South Wales Trains to be passed over the said Crossing without stopping: And whereas such Delay is inconvenient to the Swansea Vale Railway Company: It is agreed, that the South Wales Railway shall be permitted, until the Thirtieth September One thousand eight hundred and fifty-six, to use Telegraphic Signals, and that after such Signal is received at the Crossing the Gates may be closed to stop the Trains of the Swansea Vale Company until the South Wales Trains have passed: Provided always, that the Crossing shall always be left open for the Swansea Vale Traffic until such Signals are made, and that the Telegraphic Signals shall in no case be made until the South Wales Trains are ready to start from the respective Stations; and that if, when the Telegraphic Signal is received at the Crossing, any Train of the Swansea Vale Company is in sight of and approaching such Crossing for the Purpose of passing over it, then the Signal shall not be answered or the Gates closed until the Swansea Vale Train shall have so passed the Crossing: Provided also, that such Stoppage of the Railway to the Swansea Vale Trains shall be as short and limited as possible: Provided also, that all the Expenses which are or may be incurred in maintaining, protecting, or guarding the Railway and Works of the Swansea Vale Company, where the same are or shall be crossed on the Level at Pwllmaur, as above mentioned, by the South Wales Railway Company under the Arrangement contained in this Clause, when and so often as the same shall be



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*The Swansea Vale Railway Act, 1855.*

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be incurred, shall be borne and defrayed by the South Wales Company until the Thirtieth September One thousand eight hundred and fifty-six (being the Day when the Arrangement contained in this Clause is to cease), in case the said level Crossing shall so long continue: Provided also, that in case either of them the said South Wales Railway Company or the said Swansea Vale Railway Company shall not bonâ fide and to the best of their Ability carry out the Arrangement contemplated in this Clause for regulating the respective Traffics of the Two Companies, the Company making Default shall pay to the other Company the Sum of Five Pounds as liquidated Damages for every such Default: Provided always, that either Company intending to sue for any such liquidated Damages shall give Notice in Writing to the other Company of their Intention so to do, and shall not be permitted to sue for more than One Sum of Five Pounds for all Defaults whatsoever committed previous to such Notice in Writing being given.

8. That the South Wales Company shall pay to the Swansea Vale Company, as Compensation for the Use of the Crossing, and for the Inconvenience caused to the said Swansea Vale Railway Company thereby, the sum of £500 (Five hundred Pounds), up to the Thirtieth Day of September One thousand eight hundred and fifty-six: Provided that such Amount shall not be taken or considered for or against either Company as the proper Compensation for the Use of the Crossing, and for the Inconvenience which may be caused to the said Swansea Vale Railway Company thereby, subsequently to the said Thirtieth September One thousand eight hundred and fifty-six, in case of any such User of the Crossing by the South Wales Railway Company subsequent to the said Thirtieth September One thousand eight hundred and fifty-six.

9. That the South Wales Railway Company shall apply to Parliament in the ensuing Session, and if then unsuccessful in the following Session of Parliament, for Authority to carry their Railway over the Swansea Vale Railway in the Line shown on the Plan drawn in the Margin hereof, and agreed to between the Two Companies; and in case the South Wales Railway Company shall not use their best bonâ fide Endeavours to obtain such Authority, or in case they shall obtain such Authority and they shall not have carried their Railway over the Swansea Vale Railway as herein-before provided within the Period herein-after mentioned, then the South Wales Company shall pay to the Swansea Vale Company at and after the Rate of £500 (Five hundred Pounds) per Annum



*The Swansea Vale Railway Act, 1855.*

Annum from the First October One thousand eight hundred and fifty-six, if such Authority be obtained in the ensuing Session, or from the Expiration of Fifteen Calendar Months after the obtaining of such Authority, if such Authority be not obtained in the ensuing Session, until the Day when they the said South Wales Company shall so carry their Railway over the Swansea Vale Railway as aforesaid.

10. That the Swansea Vale Company will give their Assent to the Alterations required in their Line to enable the South Wales Railway to be carried over the same, and co-operate with the South Wales Railway Company in obtaining the necessary Authority for that Purpose.

11. Until an Act be obtained by the Swansea Vale Company, the Charge to be made by them for all Goods and Minerals delivered to or brought from the South Wales Railway at the Sidings of the Station to be erected at Pwllmaur, not to exceed the maximum Tolls on Goods mentioned in the Bill proposed by the Swansea Vale Railway Company in Session 1853-4, except that the Swansea Vale Company may demand for Goods carried over their Railway for a less Distance than Three Miles the Tolls and Charges proposed by that Bill as and for Three Miles.

12. Nothing in this Agreement is to prejudice the Right of the Swansea Vale Company to make their single Line of Railway double at Pullmaur Crossing, subject to the Right of the South Wales Company to require the Broad Gauge also.

13. In the Event of the Swansea Vale Railway Company applying for an Act of Parliament, Clauses to be inserted to carry out the Terms of this Agreement: Provided always, and it is clearly understood and agreed, that the Line of Railway proposed to be made by the South Wales Company for the Purpose of passing the Traffic of the Swansea Vale Company under their Railway shall have no ascending Gradient towards the Port of Swansea, and not a worse Gradient than 1 in 300 towards the North, and the Curves shall in no Case be worse than Fifteen Chains; that the said deviated Line of Railway shall be excavated to the proper Depth, and to the full Width of a double Line, and that no Impediment be given to the Traffic of the Swansea Vale Railway over their present Line, until the new Line of Railway with a single Line of Rails on the Narrow Gauge, and the Fee of the Land is conveyed to them fit for Use; the Swansea Vale Railway Company to supply at their own Cost the

[*Local.*]

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Rails

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*The Swansea Vale Railway Act, 1855.*

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Rails and Sleepers for the said new Line of Railway, when such Line is ready for them.

In witness whereof the said Parties have hereto affixed the Common Seal of the said respective Companies the Day and Year first above written.



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