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# VICTORIÆ REGINÆ.

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## *Cap. xcv.*

An Act to enable the *Swansea Vale* Railway Company to make Extension and Branch Railways, and for other Purposes. [14th July 1856.]

**W**HEREAS the *Swansea Vale* Railway Company (hereinafter called "the Company") incorporated by "The *Swansea Vale* Railway Act, 1855," have constructed a 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*, and are now constructing that Portion of their authorized Line of Railway which lies between the Point aforesaid and *Pontardawe*: And whereas it is expedient and would be of public and local Advantage that the Company should be empowered to construct the Extension and Branch Railways herein-after described, and that some of the Provisions of the said Act should be amended; 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,)

18 & 19 Vict.  
c. lx.

*The Swansea Vale Railway Extension Act, 1856.*

Short Title.

I. In citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression "The *Swansea Vale Railway Extension Act, 1856.*"

8 & 9 Vict.  
cc. 18. and 20.  
incorporated.

II. "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," (except such Provisions of those Acts as are expressly altered by this Act,) shall be incorporated with and form Part of this Act.

Interpreta-  
tion of  
Terms.

III. In construing this Act, and (in connexion with this Act) the Acts and Parts of Acts incorporated herewith, the following Words and Expressions shall have the respective Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Special Act" shall mean this Act:

The Expression "the Company," and the Expression "the Promoters of the Undertaking," respectively, shall mean the *Swansea Vale Railway Company* :

The Expression "the Undertaking," and the Expression "the Railway," respectively, shall include the Railways by this Act authorized, and the Works respectively connected therewith.

Application  
of existing  
Capital.

IV. The Company may apply to the Purposes by this Act authorized so much of the Monies raised and authorized to be raised under the Authority of the said recited Act as may not be required for the Purposes of that Act.

Company  
may accept  
Surrenders  
of Shares.

V. The Directors may accept from the Proprietors or Holders of any Shares in the Company forfeited or liable to become forfeited under the Provisions of the recited Act or the Acts incorporated therewith, Surrenders of such Shares, upon such Terms and Conditions as may be authorized by any Extraordinary Meeting of the Company specially convened for that Purpose; and all such Surrenders shall be, by Deed, under the Hands and Seals of such Proprietors or Holders, setting forth truly the Terms of such Surrenders, and duly stamped, and may be in the Form contained in the Schedule to this Act, or as near thereto as Circumstances will admit, and the Directors may affix the Common Seal of the Company to any such Surrenders.

Merger of  
such Shares.

VI. All Shares so surrendered shall merge in the Capital Stock of the Company, and thereupon all Right and Interest of the former Proprietors of such Shares therein shall cease and be absolutely extinguished.

Surrender  
not to extin-  
guish Ar-

VII. The Acceptance of any such Surrender as aforesaid shall not operate to discharge the Person whose Shares shall be so surrendered from



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from his Liability to pay any Calls, Arrears, or Interest then due thereon respectively, but the same shall be paid by him, unless the contrary shall be expressly agreed on between him and the Directors, in which Case such Person shall be discharged from Liability in respect of the Shares so surrendered to the Extent so determined and agreed upon.

rears unless so agreed.

VIII. The Company may, by the Order of an Extraordinary Meeting as aforesaid, from Time to Time, in lieu and stead of any Shares which may have been so surrendered as aforesaid, create and issue new Shares in One or more Classes, and of such Amounts as will allow the same to be conveniently apportioned or disposed of according to the Resolutions of any Ordinary or Extraordinary Meeting of the Company, but so that the authorized aggregate Amount of the Capital for the Time being of the Company shall not be thereby exceeded.

Power to issue new Shares in lieu of those surrendered.

IX. Any such new Shares which may be apportioned by the Order of any such Meeting among the then Shareholders shall be offered to them by Letter under the Hand of the Secretary given to or sent by Post, addressed to each Shareholder according to his Address in the Register of Shareholders, or left at his usual or last known Place of Abode.

New Shares, how offered to existing Shareholders.

X. Such last-mentioned new Shares shall vest in and belong to the then Shareholders who shall accept the same and pay the Amount thereof to the Company at the Time and by the Instalments which shall be fixed by the Directors; and if any then Shareholders for One Month after such Offer of new Shares fail to accept the same, and pay the Instalments called for in respect thereof, the Directors may dispose of the same in such Manner as they may deem most for the Advantage of the Company.

Vesting or other Disposition of such Shares.

XI. The Amount of any One Call to be made upon the Proprietors of the new Shares created under the Powers of this Act shall not exceed the Rate of Ten *per Centum* on the Amount of such Shares, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of Calls to be made in any One Year upon any Share, and there shall be an Interval of Two Calendar Months at least between every Two successive Calls.

Limit of Amount and Number of Calls.

XII. All such new Shares of the Amount of Thirty-five Pounds each shall confer the same Qualifications and Rights of voting as the now existing Shares, and all new Shares of any other Amount shall confer on the respective Holders thereof Qualifications and Rights of voting in proportion to the aggregate nominal Value of such new Shares

Qualification of new Shareholders.



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Shares held by them respectively, and not in proportion to the Number of or the Amount paid on such new Shares; and for the Purpose of Qualifications and Rights of voting, every entire Sum of Thirty-five Pounds of such aggregate nominal Value shall be considered as equivalent to One Share of Thirty-five Pounds in the Capital of the Company, and no Holder of new Shares shall have any Qualification or Right of voting in respect of any Number of new Shares constituting in aggregate nominal Value any Fraction of Thirty-five Pounds.

Certain Provisions of 8 & 9 Vict. c. 16. incorporated.

XIII. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Distribution of the Capital of the Company into Shares, with respect to the Transfer or Transmission of Shares, with respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls, with respect to the Forfeiture of Shares for Nonpayment of Calls, and with respect to the making of Dividends, shall be incorporated with this Act, and shall respectively apply to all Shares created and issued under the Powers of this Act.

Power to make Railways according to deposited Plans.

XIV. And whereas Plans and Sections of the said intended Extension and Branch Railways showing the Lines and Levels thereof, and also Books of Reference to such Plans containing the Names of the Owners or reputed Owners, and Lessees or reputed Lessees, and of the Occupiers of the Lands to be taken for the Purposes of the said Lines of Railway, have been deposited for public Inspection with the respective Clerks of the Peace of the Counties of *Glamorgan* and *Brecon*: Therefore, subject to the Powers of Deviation in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company to construct the said intended Railways in the respective Lines or Courses and upon the Lands delineated on those Plans, and described in those Books of Reference, and according to the Levels defined on those Sections, and, subject to the Provisions of the Acts incorporated herewith and this Act, to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes thereof.

Description of new Lines.

XV. The Railways by this Act authorized to be constructed comprise the following Railways; (that is to say,)

An Extension Railway, commencing at the Terminus of the existing Railway of the Company at *Pontardawe* in the Parish of *Killybebill* in the County of *Glamorgan*, and terminating in the Parish of *Ystradgunlais* in the County of *Brecon* at a Point near the Tramroad called "*Claypons* Tramroad," and about Two hundred and fifty Yards to the West of *Ystrad Issa* Farmhouse:

A Branch



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A Branch Railway, commencing from and out of the said intended Extension Railway in the Parish of *Llanguicke* in the County of *Glamorgan* at a Point about One hundred Yards to the North-east of the existing Stone Bridge over the *Swansea* Canal Navigation, near the *Ystalyfera* Ironworks, and terminating at or near the Furnaces of those Ironworks, and wholly within the said Parish of *Llanguicke* :

Another Branch Railway, commencing from and out of the said intended Extension Railway at a Point in the said Parish of *Ystradgunlais* about Two hundred Yards to the Northward of the Aqueduct of the *Swansea* Canal Navigation over the River *Twrch*, and terminating at a Point near the *Palleg* or *Cwm Twrch* Railway about Two hundred Yards to the North-west of *Clyn Myrie* Farmhouse, and wholly within the said Parish of *Ystradgunlais* :

Another Branch Railway, commencing from and out of the said intended Extension Railway in the said Parish of *Ystradgunlais* at a Point about Fifty Yards to the East of the Junction of the *Yniscedwyn* Branch Canal with the *Swansea* Canal Navigation, and terminating at a Point about One hundred Yards to the North of the other Terminus of the said *Yniscedwyn* Branch Canal, and wholly within the said Parish of *Ystradgunlais*.

XVI. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, in reference to the crossing of Roads on the Level, it shall be lawful for the Company, in the Construction of the said Railways, to carry the same on the Level across the Road numbered on the said deposited Plans 30, in the Parish of *Ystradgunlais* ; but no more than One double Line of Rails shall be laid by the Company across that Road.

Power to cross a certain Road on the Level.

XVII. The Company shall erect and permanently maintain either a Station or Lodge at the Point where the Railway crosses the before-mentioned Road on the Level, and at each of the Points where the Railway crosses any Tramway on the Level, and the Company shall be subject to and abide by all such Rules and Regulations with regard to the crossing of such Road and such Tramways respectively on the Level, and with regard to the Speed at which Trains shall pass such Points, as may from Time to Time be made by the Board of Trade ; and if the Company shall fail to erect or at all Times to maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the Crossing at any such Lodge 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

Company to erect a Station or Lodge at Point of Crossing, and abide by Rules, &c. of the Board of Trade.

[Local.]

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Day



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Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

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

XVIII. 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 Railway hereby authorized to be carried across the said Road on the Level 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 the herein-before mentioned Road either over or under the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case shall appear to the Board of Trade best adapted for removing or diminishing the Danger arising from such level Crossing.

Powers for compulsory Purchases limited.

XIX. The Powers of the Company for the compulsory Purchase of Lands for the Purpose of making the Railways by this Act authorized shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period for Completion of Railways.

XX. The Railways by this Act authorized shall be completed within Four Years from the passing of this Act, and on the Expiration of that Period all the Powers hereby granted to the Company for making the Railways by this Act authorized shall cease.

Dividends suspended if Railways not opened within Period limited.

XXI. If the Railways by this Act authorized to be constructed shall not be completed and opened for Public Traffic within the Period by this Act limited for the Completion thereof, then from the Expiration of that Period it shall not be lawful for the Company to declare or pay any Dividend on the ordinary or unguaranteed Capital of the Company until the said Railways shall have been completed and opened for Public Traffic.

Lands for extraordinary Purposes.

XXII. It shall be lawful for the Company to purchase by Agreement, and not compulsorily, for extraordinary Purposes, as defined in "The Railways Clauses Consolidation Act, 1845," any Quantity of Land not exceeding Fifteen Acres, in addition to the Lands which they are authorized to purchase for such Purposes under the Authority of the said recited Act.

New Lines to be Part of Undertaking.

XXIII. The Railways by this Act authorized to be made, and the Works connected therewith, shall be and be deemed Part of the Undertaking of the Company.

XXIV. The



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XXIV. The Company may demand and receive upon and in Tolls. respect of the Railways by this Act authorized to be made such and the same Tolls for the Use thereof, and for the Use of Carriages, Engines, and other moving Power, when provided by them, as they shall for the Time being be by the said recited Act authorized to demand upon or in respect of their other Railways: Provided always, that in calculating the Tolls payable to the Company, the Railways by this Act authorized and the other Railways of the Company shall be deemed One continuous Line of Railway.

XXV. And whereas the Railways by this Act authorized to be constructed will cross or communicate with certain private Tramroads or Railroads, and it is expedient that Provision should be made for facilitating the Passage of Traffic common to such private Tramroads or Railroads and to the Railways of the Company: Therefore it shall be lawful for the Company to enter into and carry into effect such Arrangements with the Owners or Lessees for the Time being of any such private Tramroad or Railroad as may be mutually agreed on for facilitating, managing, and conducting the Collection, Receipt, Delivery, Passage, and forwarding of Traffic, other than Passengers, passing to, from, and over the Railways of the Company from, to, and over such private Tramroad or Railroad, and the Provision, forwarding, and Passage of the Carriages, Trucks, and Locomotives to be used for such Traffic. For facilitating and forwarding Traffic of private Tramroads.

XXVI. 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 Seignories 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. Saving Rights of the Duke of Beaufort.

XXVII. And



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Company to  
afford Facili-  
ties of Com-  
munication  
with Swan-  
sea Canal.

XXVII. And whereas, under an Act of Parliament of the Thirty-fourth Year of the Reign of King *George* the Third, Chapter One hundred and nine, 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 hereinbefore 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."

XXVIII. It



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XXVIII. It shall be lawful for the *Ystalyfera* Iron Company, or the Proprietors, Lessees, and Occupiers for the Time being of the Lands, Mines, Minerals, and Works of which the *Ystalyfera* Iron Company are at presents Lessees and Occupiers, at any Time, at their own Expense, to construct any Gate, Bridge, Archway, Tunnel, or Culvert which may be necessary for carrying over or under the Railways by this Act authorized any Tramroad, Railroad, Watercourse, or Drain of the said *Ystalyfera* Iron Company: Provided always, that all such Works as may be necessary for the Purpose aforesaid shall be so carried on and constructed as not to impede or interfere with the Traffic upon the said Railways, or in any Manner to injure the same; and if any Dispute or Difference shall arise as to the Necessity, Construction, Mode of Construction, or Effect of the said Works, or any of them, such Dispute or Difference shall be settled by Arbitration in the Manner provided by "The Railways Clauses Consolidation Act, 1845," with reference to the Settlement of Disputes by Arbitration: Provided also, that no such Tramroad or Railroad shall be carried across any of the Railways by this Act authorized on the Level thereof.

Ystalyfera  
Iron Com-  
pany may  
construct  
certain  
Works.

XXIX. Whereas by the recited Act it was enacted, that the Viaduct for carrying the Railway by that Act authorized to be constructed across the new Cut in *Fabian's Bay* in the Harbour of *Swansea* should be made square with the new Cut: And whereas it may be expedient and for the Benefit of the said Harbour and of the Trade thereof that the said Viaduct should be made askew, instead of being made square with the said new Cut: Therefore, notwithstanding anything to the contrary in the recited Act contained, it shall be lawful for the Company, with the previous Consent in that Behalf of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or of 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, to construct the said Viaduct askew in lieu of making the same square with the said new Cut: Provided always, that all and singular other the Provisions, Restrictions, and Regulations in the said recited Act contained with reference to the said new Cut and the said Viaduct shall remain in full Force; provided also, that nothing in this Act contained shall authorize the Company for the Purposes of the said Viaduct, or of the Railway by the recited Act authorized, to construct any Work, or purchase, take, or use any Lands beyond the Limits of Deviation shown upon the Plans of the last-mentioned Railway deposited as in the said recited Act mentioned.

As to Con-  
struction of  
Viaduct  
across the  
new Cut.

XXX. And whereas an Agreement bearing Date the Twenty-third Day of *December* One thousand eight hundred and fifty-four

Company  
may lay  
down Broad  
was

[Local.]

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was



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as well as  
Narrow  
Gauge on  
their Rail-  
ways.

was entered into between the Company and the *South Wales Railway Company*, which Agreement was confirmed by the recited Act: And whereas for the Purpose of enabling the Company to carry out the Terms of that Agreement it may be necessary to construct some Part of the Railways by this Act authorized upon the Broad as well as upon the Narrow Gauge: Therefore, subject to the Provisions contained in the said Agreement, it shall be lawful for the Company to adapt their Railways by this Act authorized, or such Part thereof as may be requisite for enabling them to fulfil the Terms of the said Agreement, to the Broad Gauge of Seven Feet as well as to the Gauge of Four Feet Eight Inches and a Half.

No Interest  
or Dividend  
to be paid on  
Calls paid up.

XXXI. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of any Shares created under the Powers of this Act which may be held by him: Provided always, that the Company may pay to any such 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.

XXXII. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised for the Purpose of such Act or Acts, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being 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 Railway or to execute any other Work or Undertaking.

Railways not  
exempt from  
Provisions of  
present and  
future Gene-  
ral Acts.

XXXIII. Nothing herein contained shall be deemed or construed to exempt the Railways by this Act or the said recited Act authorized to be made from the Provisions 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 the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Tolls for small Parcels, authorized by this or the recited Act.

Expenses of  
Act.

XXXIV. The Expenses, Costs, and Charges of preparing and passing this Act, and incidental thereto, shall be paid by the Company.

The







