



CHAPTER xliv.

An Act to authorise the Rhondda and Swansea Bay Railway Company to construct new and substituted Railways to abandon the construction of portions of their authorised Railways and to amend the Acts relating to the Company and for other purposes. A.D. 1886.
[4th June 1886.]

WHEREAS by the Rhondda and Swansea Bay Railway Act 1882 (in this Act called "the Act of 1882") the Rhondda and Swansea Bay Railway Company (in this Act called "the Company") were incorporated and were empowered to make the railways and other works therein described in the county of Glamorgan:

And whereas by the Rhondda and Swansea Bay Railway (Swansea Extension) Act 1883 (in this Act called "the Act of 1883") the Company were authorised to extend their railway to Swansea:

And whereas further powers were conferred upon the Company by the Rhondda and Swansea Bay Railway Act 1885 (herein-after referred to as "the Act of 1885"):

And whereas the Company have been authorised to create and issue share capital as follows:—

By the Act of 1882	-	-	£450,000
By the Act of 1883	-	-	£135,000
By the Act of 1885	-	-	£60,000
Making a total of			£645,000

and to borrow two hundred and fifteen thousand pounds in respect thereof:

And whereas the Company have raised two hundred and twenty-five thousand pounds of their share capital aforesaid but have not borrowed any money:

And whereas a portion of the railway authorised by the Act of 1882 has been constructed and opened for public traffic:

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And whereas it is expedient that the Company should be authorised to construct the new and substituted railways by this Act authorised and to abandon the railways and portions of railways herein-after in that behalf mentioned :

And whereas the aforesaid alteration in the undertaking of the Company by this Act authorised will reduce the cost of the construction thereof and it is expedient that the capital and borrowing powers of the Company should be reduced as herein-after provided :

And whereas by section 47 of the Act of 1882 it was provided that the sum of twenty thousand two hundred and eleven pounds eleven shillings being 5 per cent. upon the amount of the estimate in respect of the railways by that Act authorised which had been deposited in the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for the said Act should not be transferred to or on the application of the depositors thereof unless the Company should previously to the expiration of the period being five years from the passing of the said Act thereby limited for the construction of the railways by that Act authorised open the same for the public conveyance of passengers :

And whereas the length of the railway and portions of railways authorised by the Act of 1882 which the Company are by this Act authorised to abandon bears to the total length of the railways by that Act authorised the same proportion which the sum of eight thousand four hundred and forty-four pounds bears to the sum of twenty thousand two hundred and eleven pounds eleven shillings and it is expedient that the sum of eight thousand four hundred and forty-four pounds portion of the said sum of twenty thousand two hundred and eleven pounds eleven shillings should be returned as herein-after provided :

And whereas by section 20 of the Act of 1883 it was provided that the sum of seven thousand four hundred and three pounds fifteen shillings three per centum Consolidated Bank Annuities being 5 per cent. upon the amount of the estimate in respect of the railways by that Act authorised which had been deposited in the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for the said Act should not be transferred to or on the application of the depositors thereof unless the Company should previously to the expiration of the period being five years from the passing of the said Act thereby limited for the construction of the railways by that Act authorised open the same for the public conveyance of passengers :

And whereas the length of the railway and portions of railways authorised by the Act of 1883 which the Company are by this Act

authorised to abandon bears to the total length of the railways authorised by the Act of 1883 the same proportion which the sum of six thousand five hundred and eight pounds bears to the sum of seven thousand four hundred and three pounds fifteen shillings and it is expedient that such a portion of the said sum of stock deposited as aforesaid in respect of the Act of 1883 as at the price at which the same was purchased is equal to six thousand five hundred and eight pounds should be returned as herein-after provided :

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And whereas plans and sections showing the lines and levels of the works authorised by this Act such plans showing also the lands to be purchased compulsorily under the powers of this Act and also books of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes of this Act were duly deposited with the clerk of the peace for the county of Glamorgan and are herein-after referred to as the deposited plans sections and books of reference :

And whereas the purposes of this Act 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 :—

1. This Act may be cited as the Rhondda and Swansea Bay Railway Act 1886. Short title.

2. The clauses and provisions of the Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 the Railways Clauses Consolidation Act 1845 and Part I. (relating to construction of a railway) of the Railways Clauses Act 1863 and Part I. (relating to cancellation and surrender of shares) of the Companies Clauses Act 1863 are (except where expressly varied by this Act) incorporated with and form part of this Act. Incorporation of Acts.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction and for the purposes of this Act the expressions "the plans of 1882" and "the sections of 1882" mean the plans or as the case may be the sections deposited for and referred to in the Act of 1882 and the expression "superior courts" or "court of competent jurisdiction" Interpretation.

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Recited Acts
and this Act
to be read
as one Act.

4. The Act of 1882 and the Act of 1883 and the Act of 1885 as amended respectively by each subsequent Act and by this Act shall be read and construed as one Act with this Act.

Power to
make works.

5. Subject to the provisions of this Act the Company may make and maintain in the lines or situations and according to the levels respectively shown on the deposited plans and sections the railways herein-after described and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for those purposes but nothing in this section shall authorise the Company to stop up the cartway numbered on the deposited plans 5 in the parish of Margam or to interfere with such cartway further than is necessary for the construction maintenance and working of two pairs of rails thereover on the level. The works herein-before referred to and authorised by this Act will be situate in the county of Glamorgan and are :

Railway No. 1.—One mile and 4·25 chains or thereabouts in length commencing in the parish of Llansamlet by a junction with the Railway No. 1 authorised by the Act of 1883 and terminating in the parish of Cadoxton-juxta-Neath by a junction with the Swansea and Neath Railway of the Great Western Railway Company.

Railway No. 2.—One furlong and 0·70 chain or thereabouts in length commencing in the parish of Aberavon by a junction with the South Wales Railway of the Great Western Railway Company and terminating in the parish of Margam by a junction with the Cwmavon Railway of the Company.

Railway No. 3.—Seven chains or thereabouts in length commencing by a junction with the Deviation Railway No. 1 by this Act authorised and next herein-after described at a point on the north-western side of the Llynvi and Ogmore Railway of the Great Western Railway Company and terminating by a junction with the said Llynvi and Ogmore Railway.

A Deviation Railway (No. 1) 6 furlongs and 5·25 chains or thereabouts in length commencing by a junction with the existing Railway No. 1 authorised by the Act of 1882 at or near the point shown on the plans of 1882 as denoting the distance of 6 miles and 2 furlongs from the commencement

of the said authorised Railway No. 1 and terminating by a junction with the said authorised Railway No. 1 at a point 4 chains or thereabouts measured in a north-westerly direction from the point which is shown on the plans of 1882 as denoting the distance of 5 miles and 3 furlongs from the commencement of the said authorised Railway No. 1.

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A Deviation Railway (No. 2) 1 mile 3 furlongs and 1·20 chains or thereabouts in length commencing in the parish of Glyn-corrwg by a junction with the Railway No. 1 authorised by the Act of 1882 at a point distant four chains and a half or thereabouts from the point shown on the plans of 1882 as denoting the distance of two miles and five furlongs from the commencement of the said authorised Railway No. 1 such distance of four chains and a half being measured in a north-westerly direction and at right angles to the centre line of the said authorised Railway No. 1 as shown on the plans of 1882 and terminating in the parish of Ystradyfodwg by a junction with the said authorised Railway No. 1 in a piece of ground numbered 65 on the Ordnance Map of that parish ($\frac{1}{2500}$ scale).

6. The Company may from time to time make and maintain in connection with the above-mentioned works or any or either of them all necessary and convenient viaducts rails sidings junctions turn-ables stations approaches bridges roads sewers gates buildings yards machinery and other works buildings and conveniences.

Power to make subsidiary works.

7. The powers of the Company for the compulsory purchase of lands and houses under the powers of this Act shall not be exercised after the expiration of three years after the passing of this Act.

Limiting period for compulsory purchase of lands.

8. In altering for the purposes of this Act the roads next herein-after mentioned the Company may make the same of any inclinations not steeper than the inclinations herein-after mentioned in connection therewith respectively (that is to say) :—

Inclination of roads.

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
	DEVIATION RAILWAY No. 1		
27	Llangynwydd -	Public - -	1 in 6 on one side and level on the other.
37	Llangynwydd -	Public - -	1 in 6 on one side and level on the other.

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Widths of
certain road-
ways.

9. The Company may make the roadway over the bridges by which the following roads will be carried over the Deviation Railway No. 1 by this Act authorised of such width between the fences thereof as the Company think fit not being less than the respective widths herein-after mentioned in connection therewith respectively (that is to say) :—

No. on Plan.	Parish.	Description of Roadway.	Intended Width of altered Roadway.
27	Llangynwydd	Public	15 feet.
37	Llangynwydd	Public	15 feet.

Power to
stop up road.

10. When and so soon as the Company shall have acquired the lands on both sides of the road numbered on the deposited plans 5 in the parish of Aberavon the Company may stop up and discontinue the same for traffic and thereupon all rights of way and other rights in over or affecting the same shall be extinguished and the site and soil thereof shall subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near the railway vest in the Company.

Power to
take ease-
ments, &c.
by agree-
ment.

11. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company any easement right or privilege not being an easement of water required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Owners may
be required
to sell parts
only of
certain lands
and build-
ings.

12. And whereas in the construction of the railways and works hereby authorised or otherwise in exercise of the powers of this Act it may happen that portions only of the houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the houses or other buildings or manufactories described in the Schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed

compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Company the portions only of the premises so required without the Company being obliged or compellable to purchase the whole or any greater portion thereof the Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise. A.D. 1886.

13. For the protection of the Great Western Railway Company in this section called the Great Western Company the following provisions shall have effect (that is to say) :—

1. The Company shall not enter upon or interfere with the railway of the Great Western Company or any of the lands or works of that Company or execute any works whatever under or over or affecting the same until the Company shall have delivered to the Great Western Company plans and drawings of such intended works and those plans and drawings shall have been approved in writing by an engineer for the time being appointed by the Great Western Company for that purpose or in the event of his failure for fourteen days after the delivery of the plans and drawings until the same shall have been approved by an engineer to be appointed on the application of the Company by the Board of Trade and all the intended works shall be executed by the Company at their sole expense in all things according to such approved plans and drawings and to the reasonable satisfaction of the said engineer for the time being appointed by the Great Western Company.

For the protection of the Great Western Railway Company. Not to enter on lands of Great Western Company until plans of proposed works affecting that Company approved.

2. In constructing the Deviation Railway No. 1 by this Act authorised through or over the land and property of the Great Western Company the Company shall not without the previous consent in writing of the Great Western Company under their Common Seal deviate from the centre line shown on the deposited plans where the said Deviation Railway No. 1 crosses under the railway of the Great Western Company and the Company shall not without such consent as aforesaid deviate the centre line of the said Deviation Railway nearer to the Great Western Company's railway than is shown on the deposited plans between the point where the said deviation railway is carried under the railway of the Great Western Company and the termination of such deviation railway and the said Deviation Railway No. 1 shall be carried under the railway of the Great Western Company by means

As to execution of the railways on lands of Great Western Company.

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of an arch or bridge of not less than 15 feet measured on the square between the parapets thereof and in such a manner as not to injure the stability of the railway and works of the Great Western Company in any way whatever and the Great Western Company may at any time or times thereafter upon giving one month's notice to the Company and without being required to pay any sum of money by way of acknowledgment for the easement which may be required for the purpose construct and thereafter maintain at their own expense any widening of their said railway where crossed by the said Deviation Railway No. 1 to such an extent as may be necessary to enable them to carry any number of additional lines of rails platforms or buildings over the said deviation railway of the Company but so nevertheless as not to injure or impede or interfere with the traffic thereof.

3. The arch or bridge constructed by the Company and the incidental works connected therewith for carrying the Deviation Railway No. 1 under the said railway of the Great Western Company and under the lines and sidings of the said Company shall from and after the completion thereof and subject and without prejudice to the duty and obligation of the Company for ever thereafter at their own expense to uphold and maintain the same in good and sufficient repair and otherwise in respect thereof be the property of the Great Western Company and be deemed part of the structure of their said railways sidings and works.

Company to
pay to the
Great
Western
Company
expenses of
watchmen
during con-
struction of
works.

4. The Company shall bear and on demand pay to the Great Western Company the reasonable expense of the employment by them during the making of the Railways Nos. 1 2 and 3 and the Deviation Railway No. 1 by this Act authorised under and adjacent to the railways of the Great Western Company of a sufficient number of inspectors signalmen or watchmen to be appointed by them for watching their railway and works and the conduct of the traffic thereon with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the Company with reference thereto or otherwise.

Damages
sustained
by Great
Western
Company to
be repaid.

5. Notwithstanding anything in this Act contained the Company shall from time to time be responsible for and make good to the Great Western Company all losses costs damages and expenses which may be occasioned to them or any of their

works or property or to the traffic on their railways or to any company or persons using the same during the execution or renewal or by reason of the failure of any of the intended works or of any act default or omission of the Company or of any persons in their employ or of their contractors and the Company shall effectually indemnify and hold harmless the Great Western Company from all claims and demands upon or against them by reason of such execution or failure and of any such act default or omission.

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6. The Company shall at their sole expense and at all times maintain the arch or bridge and other works constructed by them by which the said Deviation Railway No. 1 by this Act authorised shall be carried under the railway of the Great Western Company in substantial repair and good order and condition to the reasonable satisfaction in all respects of an engineer for the time being appointed by the Great Western Company for that purpose and if and whenever the Company fail so to do after one month's notice from the Great Western Company for that purpose or in case of urgency without any notice being required the Great Western Company may make and do in and upon as well the land of the Company as their own lands all such works and things as shall be requisite in that behalf for ensuring such repairs and the sum from time to time reasonably expended in that behalf shall be repaid to them by the Company and in default of full repayment the amount due may be recovered with full costs by the Great Western Company from the Company in any court of competent jurisdiction.

Company to maintain bridge and works affecting the Great Western Company.

7. In constructing the Railways Nos. 1 2 and 3 and the Deviation Railway No. 1 respectively by this Act authorized the Company shall not in any way obstruct or interfere with the traffic passing along the railway of the Great Western Company and if by reason of any works or proceedings of the Company there shall be any unnecessary obstruction or interference with the said railway of the Great Western Company so as to impede or prevent the convenient passage of engines and carriages along the same the Company shall pay to the Great Western Company the sum of twenty pounds per hour during which any such obstruction or interference shall continue therein.

Not to interfere with traffic on Great Western Railway.

8. Except for the purpose of constructing maintaining and using the Deviation Railway No. 1 and Railway No. 3 and the junctions of Railways Nos. 1 2 and 3 with the railways of the Great Western Company by this Act authorised and

No land of Great Western Company to be taken

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except for
certain
works.

which junctions respectively or the substituted junction or junctions as the case may be herein-after referred to are to be maintained and worked at the expense of the Company the Company shall not under the powers of this Act take or acquire any rights over any land of the Great Western Company and save as aforesaid nothing in this Act contained shall extend to authorise or enable the Company to take or enter upon or use either temporarily or permanently any of the lands of the Great Western Company or to alter vary or interfere with the railways or either of them of that Company or with any of the works thereof without the consent in writing in every instance for that purpose first had and obtained of the Great Western Company under their Common Seal and with respect to any lands of the Great Western Company which the Company are by this Act from time to time authorised to use enter upon or interfere with the Company shall not purchase and take the same but the Company may purchase and the Great Western Company shall sell or grant accordingly an easement or right of using the same in perpetuity for the purposes for which but for this enactment the Company might purchase and take the same and the provisions of this Act and of the Acts incorporated with this Act shall be construed and apply accordingly and the provisions of the Lands Clauses Consolidation Act 1845 with respect to lands shall extend and apply to such easement or right of using so far as such provisions are not inconsistent with this enactment and the Company shall not take any portion of the land railway or works of the Abergwynfy Branch Railway of the Great Western Company so as to prevent a second line of rails being laid upon the said branch railway.

9. The Great Western Company may at any time or times hereafter should it be necessary for them to do so alter or remove the junctions or any or either of them by this Act authorised with their railway and substitute a new junction or junctions as the case may be therefor but so as such alteration or removal or substituted junction or junctions as the case may be shall not stop the traffic of the Railways Nos. 1 2 and 3 and of the Deviation Railway No. 1 by this Act authorised or unnecessarily interfere therewith or cause increased expense to the Company in the working or maintenance of the junction or junctions or the substituted junction or junctions as the case may be or the signals works and conveniences connected therewith.

10. The Company shall pay to the Great Western Company by way of purchase or compensation for the rights and easements to be acquired under the provisions of this Act such an amount as may be agreed upon or in the event of difference as may be determined by arbitration under the provisions of the Lands Clauses Consolidation Act 1845 relating to the purchase of lands otherwise than by agreement. A.D. 1886.
Company to pay for easement.
11. If any dispute shall arise between the Great Western Company and the Company respecting the matters and provisions aforesaid or any of them such dispute shall be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers in London the costs of such arbitration to be in the discretion of such arbitrator. Arbitration.
12. Nothing in this Act contained shall extend to prejudice diminish alter or take away any of the rights privileges or powers of the Great Western Company otherwise than is by this Act expressly provided. Saving rights of Great Western Company.
14. The Company subject to the provisions of this Act with respect to the reduction of capital may apply for any of the purposes of this Act to which capital is properly applicable any moneys which they are authorised to raise by the Act of 1882 or by the Act of 1883 as amended by this Act or by the Act of 1885 whether by shares stock debenture stock or borrowing. Power to apply funds.
15. Section 25 and section 30 of the Act of 1883 shall be read and have effect as if the sums of twenty-four thousand pounds and eight thousand pounds had been respectively mentioned therein instead of the sums of one hundred and thirty-five thousand pounds and forty-five thousand pounds in those sections respectively mentioned and section 8 of the Act of 1882 shall in like manner be read and have effect as if the sum of three hundred and sixty-six thousand pounds had been mentioned therein instead of the sum of four hundred and fifty thousand pounds and the number of shares in that section mentioned had been thirty-six thousand six hundred instead of forty-five thousand and section 20 of the Act of 1882 is hereby repealed. Reduction of capital.
16. The Company may from time to time borrow on mortgage any sum not exceeding in the whole one hundred and twenty-two thousand pounds in respect of the capital of three hundred and sixty-six thousand pounds which they are by the Act of 1882 as Power to borrow.

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amended by this Act authorised to raise by shares and of that sum they may borrow not exceeding in the whole seventy-five thousand pounds in respect of the two hundred and twenty-five thousand pounds of capital which has already been created and issued and forty-seven thousand pounds in respect of the remaining one hundred and forty-one thousand pounds of such capital of three hundred and sixty-six thousand pounds but no part of such sum of forty-seven thousand pounds shall be borrowed until the whole of the share capital in respect of which it is to be borrowed is issued and accepted and one half thereof is paid up and the Company have proved to the Justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that the whole of such portion of capital has been issued and accepted and that one half thereof has been paid up and that not less than one fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and the Company have proved to such Justice as aforesaid before he so certifies that such shares were issued and accepted *bonâ fide* and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such Justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

Restriction
on displacing
persons of
the labouring
class.

17. The Company shall not under the powers of this Act without the consent of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

The expression "labouring class" in this section includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Period for
completion
of works.

18. If the new railways by this Act authorised are not completed within five years from the passing of this Act then on the expiration

of that period the powers by this Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed. A.D. 1886.

19. For the purposes of tolls rates charges and duties and for all other purposes whatsoever the railways by this Act authorised and the railways the construction of which is by this Act confirmed shall be deemed to be part of the railway undertaking of the Company authorised by the Act of 1882. Tolls on railways.

20. If the Company fail within the period limited by this Act to complete the new railways by this Act authorised the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until such railways are completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per cent. on the estimated cost of such railways and the said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act or by the Solicitor to Her Majesty's Treasury and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster General for and on behalf of the Supreme Court of Judicature in England in the bank specified in such warrant or order and shall not be paid thereout except as herein-after provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening such line by unforeseen accident or circumstances beyond their control provided that the want of sufficient funds shall not be held to be a circumstance beyond their control. Penalty imposed unless the line is opened within the time limited.

21. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the said railways or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation Application of penalty.

A.D. 1886. has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division thinks fit to order on the application of the Solicitor to Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the said division if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Confirmation
of works
authorised by
Act of 1882.

22. Notwithstanding anything contained in the Act of 1882 or any Act incorporated therewith the construction of the following portions of the works authorised by that Act in the manner hereinafter described and shown upon the deposited plans and sections is by this Act confirmed and the Company may maintain and use the same accordingly (that is to say):

- (A) The Railway No. 5 authorised by the Act of 1882 as the same has been actually constructed viz. terminating in the parish of Margam aforesaid by a junction with the Cwmavon Railway at or near Tymaen (in lieu of a junction with that railway as shown upon the plans of 1882) and upon levels differing from those shown on the sections deposited for and referred to in the Act of 1882.
- (B) The construction of Railway No. 6 authorised by the Act of 1882 at its point of commencement as described in that Act in the parish of Margam aforesaid with a junction with the Cwmavon Railway in lieu of a junction with Railway No. 5 authorised by the Act of 1882.
- (C) The construction of the bridge by which Railway No. 1 authorised by the Act of 1882 has been carried over the road numbered on the plans of 1882 17 in the parish of Margam (in lieu of a level crossing as shown on the sections of 1882) as the same has been already constructed viz. of a not less

headway, than eleven feet and not less span than fifteen feet and the lowering and alteration of the levels of the said road as already lowered and altered. A.D. 1886.

23. The Company may and shall abandon and relinquish the construction of :— Company to abandon parts of authorised railways.

(A) So much of Railway No. 1 authorised by the Act of 1883 as lies between the authorised commencement thereof and the point of junction therewith herein-before described of the Railway No. 1 by this Act authorised.

(B) The junction lines authorised by the Act of 1883 and therein respectively described as Railway No. 2 and Railway No. 3.

(C) The junction line authorised by the Act of 1882 and therein described as Railway No. 2.

(D) So much of the Railway No. 1 authorised by the Act of 1882 as lies between the authorised termination thereof and the point of junction therewith of the Railway No. 5 authorised by the Act of 1882.

(E) So much of the said Railway No. 1 authorised by the Act of 1882 as lies between the point of commencement and point of termination of the Deviation Railway No. 1 by this Act authorised.

(F) So much of the Railway No. 1 authorised by the Act of 1882 as lies between the point of commencement and the point of termination of the Deviation Railway No. 2 by this Act authorised.

24. The abandonment by the Company under the authority of this Act of the aforesaid railways and portions of railway shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the works and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss or damage or injury which may have been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or of the Act of 1882 or the Act of 1883. Compensation for damage to land by entry, &c. for purposes of works abandoned.

25. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to any portion of the Compensation to be made in respect of

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works
abandoned.

works authorised to be abandoned by this Act the Company shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Release of
deposit under
Act of 1882.

26. In consideration of the foregoing provisions of this Act for compensation of landowners injuriously affected by any acts of the Company in respect to the railways and portions of railways authorised by the Act of 1882 which the Company are by this Act authorised to abandon the Chancery Division of the High Court of Justice at any time after the passing of this Act on the application of the depositors mentioned in section 47 of the Act of 1882 may and shall order that the sum of eight thousand four hundred and forty-four pounds part of the sum deposited in respect of the Act of 1882 and the interest or dividends if any on that sum shall be paid to such depositors and on such order being made the said sum and the interest or dividends thereon shall be paid to such depositors accordingly.

Release of,
deposit under
Act of 1883.

27. In consideration of the foregoing provisions of this Act for compensation of landowners injuriously affected by any acts of the Company in respect to the railways and portions of railway authorised by the Act of 1883 which the Company are by this Act authorised to abandon the Chancery Division of the High Court of Justice at any time after the passing of this Act on the application of the depositors mentioned in section 20 of the Act of 1883 may and shall order that so much of the sum of stock deposited as aforesaid in respect of the Act of 1883 as at the price at which the same was purchased is equal to six thousand five hundred and eight pounds and the interest or dividends if any on such last-mentioned sum should be transferred to such depositors and on such order being made the said sum and the interest or dividends thereon shall be paid to such depositors accordingly.

Saving
rights of
the Crown
in the fore-
shore.

28. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent

Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exercisable by the Queen's Majesty Her heirs or successors.

A.D. 1886.

29.

Except as in this Act expressly provided nothing in this Act contained shall exempt the Company from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised by the Acts of the Company.

Provisions as to General Railway Acts.

30.

All the costs charges and expenses of and incident to the preparing and applying for and the obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

Costs of Act.

The SCHEDULE referred to in the foregoing Act.

LANDS &C. AS TO WHICH THE COMPANY MAY BE EXEMPTED FROM SECTION 92 OF THE LANDS CLAUSES CONSOLIDATION ACT 1845.

Parish.	No. on Deposited Plans.
	RAILWAY No. 1
Parish of Llansamlet	1 2 3 5

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