



ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

Cap. cccxciii.

An Act to empower the *Taff Vale* Railway Company to construct certain Branch Railways and Extensions, and to make Arrangements for the Use of certain Wharfs adjoining to the *Bute* Ship Canal. [26th August 1846.]

WHEREAS an Act was passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from Merthyr Tydfil to Cardiff, to be called the Taff Vale Railway, with Branches*: And whereas an Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to enable the Taff Vale Railway Company to alter the Line of the said Railway and the Act relating thereto, and to make additional Branches*: And whereas another Act was passed in the Third and Fourth Years of the same Reign, intituled *An Act to amend the Acts relating to the Taff Vale Railway*: And whereas another Act was passed in the Seventh and Eighth Years of the same Reign, intituled *An Act to amend the*

6 & 7 W. 4.
c. 82.

7 W. 4. &
1 Vict. c. 20.

3 & 4 Vict.
c. 110.

7 & 8 Vict.
Acts c. 84.

[Local.]

80 H

Acts

Acts relating to the Taff Vale Railway, to authorize the Alteration of certain Works thereby authorized, and the Formation of additional Works, and to enlarge the Powers of the Company: And whereas it would be attended with public and local Advantage if the *Taff Vale Railway Company* were authorized and empowered to make a Branch Railway from the Main Line of the said *Taff Vale Railway* to and along the East Side of the "*Bute Ship Canal*," and if they were empowered to rent certain Lands and Wharfs connected with and adjoining to the said Canal near to the Terminus of the said Railway at the Port of *Cardiff*, and to make Arrangements with the Owner of the said Canal for the shipping and unshipping of Goods and Minerals conveyed or intended to be conveyed on the said Railway, and otherwise relating to such Lands and Wharfs: And whereas it would also be attended with public and local Advantage if the said Company were empowered to make Two Extensions from the *Rhondda Branch* of their said Railway, with subsidiary Branches from the First of such Extensions, to a Colliery known as the *Cymmer Colliery*, and to *Wain Atha* respectively, and if they were also authorized to convert the existing Tunnel on the Line of the said Railway in the Parish of *Lantwitfardre* into an open Cutting: And whereas, for effecting the Purposes aforesaid and other Purposes connected with the said Undertaking, it is expedient that the Capital of the *Taff Vale Railway Company* should be increased, and also that some of the Provisions of the Acts herein-before recited should be amended and enlarged: But the Objects aforesaid cannot be effected without the Authority of Parliament: And whereas Two Acts were passed in the last Session of Parliament, one thereof called "*The Lands Clauses Consolidation Act, 1845*," and the other thereof called "*The Railways Clauses Consolidation Act, 1845*:" 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, That all the Provisions contained in the said recited Acts relating to the *Taff Vale Railway*, so far as the same are now in force, and except such of them as are inconsistent with the Provisions of "*The Lands Clauses Consolidation Act, 1845*," and "*The Railways Clauses Consolidation Act, 1845*," and except also such as by this Act are altered or otherwise provided for, shall extend to this Act, and to the several Purposes thereof, as fully and effectually as though such Provisions were re-enacted in this Act as applicable to such Purposes.

Extending Provisions of recited Acts to this Act.

Interpretation of Act.

II. And be it enacted, That in the Construction of the said recited Acts of the *Taff Vale Railway Company*, the Word Persons shall be deemed to include Companies, unless there be something either in the Subject or Context repugnant to such Construction.

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

III. And be it enacted, That all the Provisions of the said "*Lands Clauses Consolidation Act, 1845*," and of the said "*Railways Clauses Consolidation Act, 1845*," so far as the same are applicable, and save in so far as the same may be inconsistent with the Provisions hereinafter mentioned, shall extend to this Act and to the several Purposes thereof,

thereof, and the same, together with this Act, shall be read as One Act.

IV. And be it enacted, That it shall be lawful for the *Taff Vale* Railway Company from Time to Time to raise, by creating new Shares or Stock, in addition to the Capital which they are authorized to raise under and by virtue of the said recited Acts or any of them, any further Sum of Money not exceeding in the whole the Sum of Two hundred and sixteen thousand Pounds, in such Manner and subject to the same Provisions as the Provisions under which by the said recited Acts or any of them they are authorized to raise additional Capital as therein mentioned.

Powers to raise additional Capital.

V. And be it enacted, That after the whole of the Capital by this Act authorized to be raised by Shares shall have been subscribed for, and One Half thereof and of the Sum by the said recited Acts authorized to be raised by Shares shall have been paid up, it shall be lawful for the said Company, subject to the same or the like Provisions as are contained in the said recited Acts or any of them with reference to the Monies thereby authorized to be borrowed, to borrow on Mortgage such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any General or Special General Meeting of the said Company, not exceeding in the whole the Sum of Seventy-two thousand Pounds, in addition to the Sums which they are by the said Acts authorized to borrow.

Power to borrow on Mortgage.

VI. And be it enacted, That it shall be lawful for the said Company to make and maintain a Branch Railway in extension of the *Rhondda* Branch of the *Taff Vale* Railway, commencing at or near the present Termination thereof in the Parish of *Llantrissant* and County of *Glamorgan*, and terminating at or near to a Farmhouse called *Ty-newdd*, in the Parish of *Ystrad-y-Fodwg*; another Branch Railway, diverging out of the said last-mentioned intended Railway in the Parish of *Llanwyno*, and terminating at or near to a Farmhouse called *Ffaldau*, in the Parish of *Aberdare*; another Branch Railway, diverging from and out of the Line of the said first-mentioned intended Railway in the Parish of *Llantrissant*, and terminating at or near the *Cymmer* Colliery in the same Parish; another Branch Railway, diverging from and out of the said first-mentioned intended Railway at or near a certain Farm called *Lledau Du*, in the Parish of *Ystrad-y-Fodwg*, and terminating at or near a certain Farm called *Wain Atha*, in the Parish of *Llantrissant*; a Branch Railway, from and out of the Main Line of the *Taff Vale* Railway, at or near the Bridge passing over the Turnpike Road between *Cardiff* and *Newport* in the Parish of *Saint John the Baptist, Cardiff*, and terminating at or near the *Bute* Ship Canal, upon Land to be leased to them as herein-after mentioned, on the East Side thereof, in the Parish of *Saint Mary, Cardiff*; and also certain Branch Railways or Sidings, with Staiths, Wharfs, Shipping Places, and other Works and Conveniences, in the said Parish of *Saint Mary, Cardiff*, for the Purpose of shipping and unshipping Goods at the *Bute* Ship Canal, upon Land to be leased to them, as herein-after mentioned; and also that it shall be

Line of Branch Railways.

be lawful for the said Company to alter the present Tunnel on the Line of the said Railway in the Parish of *Lantwitfardre*, and to convert the same into an open Cutting.

Railway to be made according to deposited Plans.

VII. And whereas a Plan and Section of the said proposed Branch Railways, showing the Lines and Levels thereof, and also of the proposed Alteration in the present Tunnel on the said *Taff Vale* Railway in the Parish of *Lantwitfardre*, together with a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners and Lessees and Occupiers, of the Lands through which the same are respectively intended to pass or be constructed, have been deposited with the Clerk of the Peace for the County of *Glamorgan*; be it enacted, That the said Branch Railways, Alterations, and Works respectively by this Act authorized shall be made in the Lines and upon the Lands delineated on the said Plan and described in the said Book of Reference, and it shall be lawful for the said Company to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose, but subject to the Provisions of the said recited Acts as extended to this Act, and of this Act.

Land for extraordinary Purposes.

VIII. And be it enacted, That it shall be lawful for the Company to purchase and take any Quantity of Land for extraordinary Purposes, not exceeding Thirty Acres.

Compulsory Purchase of Lands limited.

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

Period for Completion of Works.

X. And be it enacted, That the several Branch Railways, Works, Wharfs, and Shipping Places at or near the *Bute* Ship Canal by this Act authorized to be made, and which affect only the Interests of the Marquis of *Bute*, shall be completed within such Periods and in such Manner as have been agreed upon between the Marquis of *Bute* and the said Company, and the said other Extensions, Branch Railways, and Works by this Act authorized shall be completed within Seven Years from the passing of this Act; and on the Expiration of such respective Periods the Powers by this or the recited Acts granted to the Company for executing the same respectively, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Power to cross a certain Road on the Level.

XI. And be it enacted, That it shall be lawful for the said Company to carry the Branch Railway known as the *Aerw* Branch on a Level across the Road numbered 23 in the Parish of *Llantrissant* in the Plans deposited as herein-before mentioned.

Company to erect a Station or Lodge at Point of Crossing.

XII. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain a Station or Lodge at the Point where the Railway shall cross on the Level the before-mentioned Road.

XIII. And

XIII. And be it enacted, That, subject to the Provisions in the Railways Clauses Consolidation Act, 1845, contained with respect to the making of Bye Laws by the Company, it shall be lawful for the Company, and they are hereby required, to provide locomotive Power for the Use of all Persons requiring the same for the Purposes of Traffic upon the Extension and Branch Railways by this Act authorized.

Company to provide locomotive Power, if required.

XIV. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the Branch Railway on the Eastern Side of the *Bute* Ship Canal by this Act authorized, not exceeding the following; (that is to say,)

Tolls.

I. In respect of Passengers and Animals conveyed in Carriages on the said Branch Railway, or any Part thereof, as follows:

For Passengers and Cattle.

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

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

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

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

On Articles of Merchandize.

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

For all Coke, building, pitching, and paving Stones dressed, Pig, Bar, Rod, Hoop, Sheet, and all other similar Descriptions of Wrought Iron, Tin and Tin Plates, and Chain Cables made of Iron of a Diameter of Five Eighths of an Inch and upwards, and Castings not manufactured into Utensils or other Articles of Merchandize, *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 Eighth of a Penny:

For all Sugar, Grain, Corn, Flour, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron and Tin), Nails, Anvils, Vices, Chains (except as herein-before mentioned),
 [Local.] 80 1 Tiles,

Tiles, and Slates, *per Ton per Mile* not exceeding Two-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny: For Cotton and other Wools, Hides, Drugs, manufactured Goods, and all other Wares, Merchandize, Articles, Matters, or Things, *per Ton per Mile* not exceeding Three-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For every Carriage, of whatever Description, not being a Carriage adapted or used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Four-pence; and a Sum of Two-pence *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* not exceeding Two-pence.

Tolls on
Branch
Railways.

XV. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the other Branch Railways and Extensions by this Act authorized, (except the Branch along the Eastern Side of the said *Bute Ship Canal*,) not exceeding the following; (that is to say,)

The same Tolls which the Company are herein-before authorized to demand in respect of the Conveyance upon the said Branch Railway on the Eastern Side of the *Bute Ship Canal* of all Passengers and Animals and all Articles and Things except Coal:

For Coal, for a Period of Seven Years from the passing of this Act, *per Ton per Mile* not exceeding Sixteen Twenty-fourths of a Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Twenty-fourths of a Penny: And after the Expiration of such Period of Seven Years, for Coal, *per Ton per Mile* not exceeding Four Eighths of a Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Eighth of a Penny.

Tolls for
propelling
Power.

XVI. And be it enacted, That the Toll which the Company may demand for the Use of Engines for propelling Carriages and Waggons on the said Branch Railway on the Eastern Side of the said *Bute Ship Canal* shall not exceed One Halfpenny *per Mile* for each Passenger or Animal, or for each Ton of Goods or other Articles, except Coals, in addition to the several other Tolls or Sums by this Act authorized to be taken; and the Sum which the said Company may demand for the Use of Engines for propelling Waggons on such Branch Railway laden with Coal shall not exceed Nine Twenty-fourths of a Penny *per Ton per Mile*; and in respect of the other Branch Railways and Extensions by this Act authorized, the Tolls which the Company may demand for the Use of Engines for propelling Carriages and Waggons thereon shall not exceed the Sum which they are herein-before authorized to demand for the same Services upon the said Branch Railway on the Eastern Side of the *Bute Ship Canal*: Provided always, that from and after the Expiration of Seven

Years from the passing of this Act it shall not be lawful for the Company to demand for the Use of Engines for propelling Carriages laden with Coal on such other Branch Railways and Extensions any greater Sum than Three Eighths of a Penny *per Ton per Mile*.

XVII. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,) Regulations
as to Tolls.

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles the Company may demand Tolls as and for Six Miles :

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls as for One Mile :

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

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

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

XVIII. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls herein prescribed, the Company may lawfully demand the Tolls following; (that is to say,) Tolls for
small Parcels
and Articles
of great
Weight.

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

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

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

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

XX. Pro-

Maximum
Charges in
respect of
the Eastern
Branch.

XX. Provided always, and be it enacted, That the maximum Charges to be made by the Company for the Conveyance of Passengers upon the Branch Railway along the Eastern Side of the *Bute* Ship Canal by this Act authorized, including the Tolls for the Use of such Branch Railway, and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance, shall not exceed the following Sums :

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

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

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

And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rates of Charges to be made by the Company, including the Tolls for the Use of such Branch Railway, and Waggon or Trucks, and locomotive Power, and every Expence 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 every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, the Sum of Three-pence *per* Mile :

For Calves and Pigs, the Sum of Two-pence each *per* Mile :

For Sheep, Lambs, and other small Animals, the Sum of One Penny Halfpenny each *per* Mile :

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

For Coals, Culm, Iron Cinders, building, pitching, and paving Stones undressed, Bricks, Clay, Sand, Ironstone, Iron Ore, Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, the Sum of One Penny and One Sixth of a Penny *per* Ton *per* Mile :

For all Coke, building, pitching, and paving Stones dressed, Pig, Bar, Rod, Hoop, Sheet, and all other similar Descriptions of Wrought Iron, Tin and Tin Plates, and Chain Cables made of Iron of a Diameter of Five Eighths of an Inch and upwards, and Castings not manufactured into Utensils or other Articles of Merchandize, the Sum of One Penny Halfpenny *per* Ton *per* Mile :

For all Sugar, Grain, Corn, Flour, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron and Tin), Nails, Anvils, Vices, Chains (except as herein-before provided), Tiles, and Slates, the Sum of Three-pence *per* Ton *per* Mile :

For Cotton and other Wools, Hides, Drugs, manufactured Goods, and all other Wares, Merchandize, Articles, Matters, or Things, the Sum of Four-pence *per* Ton *per* Mile.

Maximum
Charges in
respect of
the Rhondda
Branches.

XXI. And be it enacted, That the maximum Charges to be made by the Company for the Conveyance of Passengers upon the other Branches and Extensions by this Act authorized, (except the Branch along the Eastern Side of the *Bute* Ship Canal,) including the Tolls for

for the Use of the said Branch Railways, and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance, shall not exceed the following Sums; (that is to say,)

For all Passengers and Animals, Goods, and other Articles, except Coal, the same Charges which the Company are herein-before authorized to demand and receive in respect of the Use of the said Branch Railway along the Eastern Side of the *Bute* Ship Canal:

For Coal, for a Period of Seven Years from the passing of this Act, *per Ton per Mile* not exceeding One Penny and One Sixth of a Penny; and after the Expiration of such Period of Seven Years, for Coal, *per Ton per Mile* not exceeding One Penny.

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

Restriction as to Charges not to apply to Special Trains.

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

Company may take increased Charges by Agreement.

XXIV. And whereas an Act was passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for empowering the Marquis of Bute to make and maintain a Ship Canal, commencing near the Mouth of the River Taff in the County of Glamorgan, and terminating near the Town of Cardiff, with other Works to communicate therewith*: And whereas another Act was passed in the Fourth Year of the same Reign, intituled *An Act to alter, amend, and enlarge the Powers of an Act passed in the First Year of the Reign of His Majesty King William the Fourth, intituled 'An Act for empowering the Marquis of Bute to make and maintain a Ship Canal, commencing near the Mouth of the River Taff in the County of Glamorgan, and terminating near the Town of Cardiff, with other Works to communicate therewith*:' And whereas certain Terms of Agreement have been entered into between the said Marquis of *Bute* and the said Company touching the Use of certain Lands and Wharfs adjoining the said Canal; be it enacted, That it shall be lawful for the said Company to take from the said Marquis of *Bute*, his Heirs or Assigns, a Lease or Leases of such of the Lands and Wharfs belonging to the said Marquis of *Bute* situate on the Eastern Side of the said *Bute* Ship Canal, in the several Parishes of *Saint John* and *Saint Mary* at *Cardiff*, as may be required by the Company for the Purposes of the several Branch Railways, Staiths, Shipping Places, Works, and other Conveniences by this Act authorized to be made thereon, and as the said Marquis of *Bute*, his

Power to take Lease of Lands and Wharfs adjoining the *Bute* Ship Canal.
11 G. 4. & 1 W. 4. c. 133.
4 & 5 W. 4. c. 19.

Heirs or Assigns, may agree or may have agreed to let to the said Company, and for such Term or Terms of Years, and for such annual Rent or Sum, Rents or Sums, or other Consideration as shall be or shall have been mutually agreed upon between the said Company and the Marquis of *Bute*, his Heirs or Assigns, and as shall in and by such Lease or Leases be reserved or made payable, and subject to such Conditions and Stipulations as may be agreed upon and inserted in such Lease or Leases, including a Condition of Re-entry for Non-payment of the Rent or Rents, Sum or Sums, or other Consideration thereby to be reserved or made payable, or on Breach or Non-performance of any of the Covenants, Conditions, and Agreements on the Part of the said Company therein to be contained.

Powers transferred by any Lease granted by the Marquis of Bute may be exercised by the Company.

XXV. And be it enacted, That any Lease which may be granted by the said Marquis of *Bute*, his Heirs or Assigns, shall, during the Continuance thereof, entitle the said Company to the Use and Enjoyment of the Lands and Wharfs which may be thereby demised, with the Appurtenances, and to the Use and Exercise of all the Powers, Privileges, and Authorities which may be granted or transferred to them by such Lease or Leases respectively, and which are or might be used or exercised by the said Marquis of *Bute*, his Heirs or Assigns, as the Owner or Owners of the said Canal, under or by virtue of the said Acts relating thereto, or otherwise howsoever; and it shall be lawful for the said Company, during the Continuance of the Lease or Leases so to be granted, to take, demand, and recover of and from all Persons using the Wharfs and Premises to be comprised in and demised thereby respectively, all such and the same Wharfage and Lockage Duties, and other Rates and Charges in respect of Goods and Vessels, as the said Company shall for the Time being, under such Lease or Leases, be themselves liable to pay to the said Marquis of *Bute*, his Heirs or Assigns, in respect of the same Goods and Vessels.

Power to enter into Contracts for the aforesaid Purposes.

XXVI. And be it enacted, That it shall be lawful for the said Company, and for the said Marquis of *Bute*, his Heirs or Assigns, to make, enter into, and execute any such Deeds, Contracts, or Agreements as they may think proper for effecting the Purposes aforesaid, and also for providing as to the Shipment and Unshipment of any Goods which shall from Time to Time be conveyed upon or along any Part of the said Company's Railway, and as to the Sums to be paid to the said Marquis, his Heirs or Assigns, for and in respect of Wharfage and Lockage Duties, and for Rates and Charges in respect of the Vessels in or out of which such Goods shall be shipped or unshipped, and also as to the Shipment of Coals by the said Company, and the Rates to be charged by the said Company for the same, and otherwise for regulating the Use by the Company of the Lands, Wharfs, and Works to be held by them under the Marquis of *Bute* as aforesaid, and with such Covenants, Clauses, Provisions, and Conditions relating thereto as the said Company and the said Marquis of *Bute*, his Heirs or Assigns, shall mutually agree upon; and every Contract or Agreement herein-before entered into between the said Company, or the Directors thereof, and the said Marquis, with reference to the Objects aforesaid, or any of them, shall be as good, valid, and effectual

as

as though the same had been entered into subsequently to the passing of this Act.

XXVII. Provided always, and be it enacted, That it shall not be lawful for the said Company to demand and take, under or by virtue of any such Agreement or Lease, any greater Amount of Rates and Dues in respect of the Use of the said Wharfs, Lands, and Works, or any Part thereof, than shall from Time to Time be payable by them to the said Marquis of *Bute*, his Heirs or Assigns, under the said Terms of Agreement already entered into as aforesaid: Provided further, that it shall not be lawful for the said Company to enter upon, purchase, or take, either absolutely or by way of Lease or otherwise, any Lands belonging to the said Marquis of *Bute* near or adjoining to the said *Bute* Ship Canal, or to lay down any Branch Railways on the same, or on the Wharfs connected with the said Canal, without the previous Consent in Writing of the said Marquis of *Bute*, his Heirs or Assigns.

Company not to demand any greater Amount of Dues than shall be payable to the Marquis of *Bute*.

XXVIII. Provided always, and be it enacted, That nothing in this Act contained shall authorize any Charge or Manner of charging by the said Marquis of *Bute*, his Heirs, Lessees, or Assigns, which would not have been lawful if this Act had not been passed.

Limiting certain Charges to be made by Marquis of *Bute*, &c.

XXIX. And be it enacted, That in the event of the said Company taking any such Lease as aforesaid, and becoming entitled, by virtue of any Arrangement with the said Marquis of *Bute*, to use the said Lands and Wharfs adjoining the said Canal for the Purposes of the Traffic coming to and from the said Railway, and to lay down Branch Railways in connexion with the said Canal in the Manner authorized by this Act, it shall be lawful for the said Company and they are hereby required to abandon the Formation of so much of the Undertaking by the said recited Acts or any of them authorized to be made as consists of the Branch Railway leading from the Main Line of the *Taff Vale* Railway to or near to *Cogan Pill*, and to resell (subject to the Provisions of the said first-recited Act with regard to the Sale of superfluous Lands by the Company,) all such Lands as they may theretofore have purchased for the Purposes of the said Branch Railway.

If Company become entitled to use Ship Canal, they are to abandon the *Cogan Pill* Branch Railway, and resell the Lands.

XXX. Provided always, and be it enacted, That, save as hereby expressly authorized, nothing in this Act contained shall extend or be deemed or construed to take away, prejudice, alter, lessen, or interfere with any Rights, Powers, Privileges, or Advantages vested in the said Marquis of *Bute*, his Heirs or Assigns, by virtue of the aforesaid Two several Acts, one passed in the First Year of the Reign of His late Majesty King *William* the Fourth, and the other passed in the Fourth Year of the Reign of His said late Majesty, but all such Rights, Powers, Privileges, and Advantages shall remain as good, valid, and effectual as if this Act had not been passed.

Saving the Rights of the Marquis of *Bute*.

XXXI. And be it enacted, That the said Company shall constantly keep open, and in a fit and proper State for the Conveyance of Goods, Merchandize, or Things, that Portion of their Railway which crosses

Company constantly to keep open the Railway *Bute* Dock.

Bute Street in *Cardiff* from the East Side, and now forms the Communication by their Line of Railway from the Station at *Cardiff* to the Terminus or Railway Dock which enters into the *Glamorganshire* Canal; and that the said *Taff Vale* Railway Company shall convey along their said Railway such Goods, Merchandize, and Things as shall be tendered to them for that Purpose, to or from the said Terminus or Railway Dock aforesaid, for passing into or out of the *Glamorganshire* Canal, and shall in like Manner keep open the said Railway Dock, and at all Times maintain the same in as fit and proper State as it is at present, for the Receipt, Shipment, and Delivery of all Goods, Matters, or Things passing into or out of the said *Glamorganshire* Canal.

Rates payable for Use of Staiths, &c.

XXXII. And be it enacted, That it shall be lawful for the Company to demand and receive for the Shipment of Goods by means of Staiths, Shipping Machines, or other Machinery at the said Dock, any Sum not exceeding Two-pence *per* Ton

Aberdare Railway Company to be entitled to the Use of Staiths, &c.

XXXIII. And be it enacted, That all such Staiths or Shipping Machines at the said Dock as the said Company shall make for the Shipment of Coals and other things at the said Docks shall be open equally and without Preference to the Use of the *Aberdare* Railway Company and the Freighters on the said Railway, at such equal Charges in respect thereof as the said Company may from Time to Time make for the Use of their Shipping Machines at the same Dock, subject to the Bye Laws, Orders, and Rules which shall from Time to Time be made by the said *Taff Vale* Company by virtue of this and the said recited Acts or any of them, and not repugnant to any Directions therein contained.

Protecting the Aberdare Railway Company.

XXXIV. And be it enacted, That all Traffic passing to or from the said *Taff Vale* Railway from or to the *Aberdare* Railway shall, for the Purposes of any Agreement, Lease or Leases, made or to be made with the said Marquis of *Bute* under the Powers herein contained, be deemed and taken to be *Taff Vale* Traffic.

Protecting the Rights of Mr. Vaughan.

XXXV. And be it enacted, with respect to the said Branch Railway diverging from and out of the Line of the said first-mentioned intended Railway in the Parish of *Llantrissant*, and terminating at or near the *Cymmer* Colliery in the same Parish, That in making the same Branch Railway through the Land of *Nash Vaughan Edwards Vaughan* Esquire, numbered 22 in the same Parish, the said Company shall, at such Place in such Field as shall be required by the Owner or Owners for the Time being of the said last-mentioned Land, make and leave under the said Railway a Culvert, with an Area or open Space of at least Thirty Superficial Feet, under the said Railway, for conveying the Water of the River *Rhondda* under the said Railway to the said last-mentioned Land, and shall for ever maintain and properly secure the said Area, and maintain and repair the said Culvert; and that if the said Company shall, at any Time after Ten Days Notice in Writing to that Effect, make default in making, maintaining, or repairing the said Area and Culvert, or either of them, it shall be lawful for the Owner or Owners for the Time being

of the said last-mentioned Land to make, or as the Case may be to maintain or repair, the said Area and Culvert or either of them, and such reasonable Expences as may be incurred thereby in the Execution of the said Work from Time to Time shall be paid by the said Company to such Owner or Owners within Ten Days after an Account thereof shall have been delivered or left at one of the Offices of the said Company; and in case of Dispute as to the Amount payable for the same, the same shall be left to Arbitration in the Manner provided by the Railways Clauses Consolidation Act, 1845.

XXXVI. And be it enacted, That in assessing, awarding, or otherwise determining the Compensation to be made by the *Taff Vale* Railway Company to *Nash Vaughan Edwards Vaughan*, for his Lands in the Parish of *Llanwyno*, he shall be entitled to be paid for all Injury, if any, sustained by him in any way by reason of the exercise of the Powers of this or of the said recited Acts.

If Injury sustained in Lands of Mr. Vaughan, Compensation to be made to him.

XXXVII. And whereas the said Branch from the Main Line of the *Taff Vale* Railway to the East Side of the *Bute* Ship Canal is intended to be carried over the *South Wales* Railway as now authorized to be made; be it enacted, That the said Branch Railway shall be carried over the *South Wales* Railway by a Bridge of not less than Twenty-eight Feet Span, and not less than Sixteen Feet clear Headway for the whole of such Span, and measured from the Level of the Line of Rails as shown on the Section of the said *South Wales* Railway deposited with the Clerk of the Peace for the County of *Glamorgan*.

Crossing of the *South Wales* Railway to be under certain Regulations.

XXXVIII. And be it enacted, That nothing in this Act contained shall extend to or be deemed or construed to extend to authorize or enable the *Taff Vale* Railway Company to take or enter upon any of the Lands or Grounds belonging or which may belong to the *South Wales* Railway Company, further or otherwise than is hereby expressly authorized, and further than may be absolutely necessary for effecting the crossing of such Branch Railway and Sidings in the Manner provided for, or to alter, vary, or interfere with the *South Wales* Railway, or any of the Works thereof respectively, without the Consent in Writing of the said *South Wales* Railway Company in every Instance first had and obtained.

The Works of the *South Wales* Railway not to be interfered with.

XXXIX. And be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the *South Wales* Railway Company, but saving and reserving to such Company all the Rights, Privileges, and Franchises to them respectively belonging, and also saving and reserving all such Powers, Authorities, and Provisions in the several Acts relating thereto respectively, as if this Act had not been passed.

Saving the Rights of the *South Wales* Railway Company.

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

Railway to be subject to the Provisions of

1 & 2 Vict.
c. 98.,
3 & 4 Vict.
c. 97.,
5 & 6 Vict.
c. 55., and
7 & 8 Vict.
c. 85.

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

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

XLI. Provided always, and be it enacted, That nothing herein contained shall be deemed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, which may hereafter pass during the present Session of Parliament, or any general Act relating to Railways which may 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 authorized by this Act.

Public Act.

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

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1846.