



ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

Cap. cccci.

An Act to authorize the Construction of a Railway from *Maln-y-Manach* to *Rhydydefydd* in the County of *Glamorgan*, to be called "*Cameron's Coalbrook Steam Coal and Swansea and Loughor Railway.*" [28th August 1846.]

WHEREAS the making of a Railway from or near a Place or Mill called *Maln-y-Manach*, in the Parish of *Landilo-tal-y-bont* in the County of *Glamorgan*, to a Point at or near the Termination of the present *Oystermouth* Tramroad, at or near *Rhydydefydd* in the Parish of *Swansea* in the said County, would be of great public Advantage: And whereas the Persons hereafter named are willing, at their own Expence, to carry such Undertaking into execution, but the same 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, That so much of the several Acts of Parlia-

[Local.]

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incorporated
with this
Act.

ment following, (that is to say,) the Companies Clauses Consolidation Act, 1845, the Lands Clauses Consolidation Act, 1845, and the Railway Clauses Consolidation Act, 1845, as are respectively applicable, and are not modified by this Act, or inconsistent with the Provisions hereof, shall be incorporated with and form Part of this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to describe it as "*Cameron's Coalbrook Steam Coal and Swansea and Loughor Railway Company's Act, 1846.*"

Subscribers
incorporated.

III. And be it enacted, That *Nathaniel Price Cameron, William Booth Joseph Pryce Cameron, Alexander Hamilton Earle, Sir Andrew Pellett Green, Jacob Montefiore, Edmund Nash Norcott, Samuel Price, John James Rippon, Edward Gamaliel Winthrop, John Barham, Thomas Henry Gleeson, James Sherman, William Glynn, John Calthorp Williams,* and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company, for the Purposes of the said Undertaking, according to the Provisions of the said recited Acts and of this Act, and for other the Purposes herein and in the said recited Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*Cameron's Coalbrook Steam Coal and Swansea and Loughor Railway Company,*" and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the recited Acts contained.

Capital.

IV. And whereas the estimated Expenditure of making the Railway is Twenty-four thousand Pounds; be it enacted, That the Capital of the Company for the Purposes of making the said Railway shall be Twenty-four thousand Pounds.

Number and
Amount of
Shares.

V. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be Two thousand four hundred, and the Amount of each Share shall be Ten Pounds, and that no Shareholder of the Company shall be liable for or charged with the Payment of any Debt or Demand due from the Company beyond the Extent of his Share in the Capital of the Company not then paid up.

Calls.

VI. And be it enacted, That Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between each Call.

Interest on
Calls to be
paid till
Railway
completed.

VII. And be it enacted, That, notwithstanding any thing in the said "*Companies Clauses Consolidation Act, 1845,*" contained or implied to the contrary, it shall be lawful for the Directors of the said Company to pay and allow Interest after the Rate of Four Pounds *per Centum*

Centum per Annum on all Calls paid in respect of the Capital of the Company, from the Date of Payment thereof until the Completion of the Railway: Provided always, that no Interest shall accrue to the Proprietors of any Share upon which any Call shall be, in arrear in respect of such Share, or of any other Share held by the same Proprietor, while such Call shall remain unpaid.

VIII. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Eight thousand Pounds for the Use of the said Railways and Works, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Twenty-four thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Power to borrow Money on Mortgage.

IX. And be it enacted, That it shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, in the event of the Principal Monies due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Ten thousand Pounds in the whole.

Mortgagees may enforce Payment of Arrears by Appointment of a Receiver.

X. And be it enacted, That the Number of Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Thirty Shares in the Undertaking.

Number and Qualification of Directors.

XI. And be it enacted, That *Nathaniel Pryce Cameron, William Booth Joseph Pryce Cameron, Alexander Hamilton Earle, Sir Andrew Pellett Green, Jacob Montefiore, Edmund Nash Norcott, Samuel Price, John James Rippon, and Edward Gamaliel Winthrop,* shall be the first Directors of the said Company.

First Directors.

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

Directors to continue in Office until first Meeting after passing of Act.

XIII. And be it enacted, That a Quorum of a Meeting of Directors shall be Two.

Quorum of Directors.

XIV. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Three, and the Quorum of such Committees shall be such as the Directors shall at the Time of appointing the said Committee prescribe.

Committees of Directors.

XV. And

Newspapers
for Insertion
of Adver-
tisements.

XV. And be it enacted, That all Advertisements relating to the Affairs of the Company shall be inserted in at least One Newspaper published in *London* and One Newspaper published and circulated in the County of *Glamorgan*.

Railway to
be made
according
to depo-
sited Plans.

XVI. And whereas Plans and Sections of the Railway showing the Line and Levels thereof, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, of the Lands through which the same is intended to pass, have been deposited with the Clerk of the Peace of the County of *Glamorgan*; be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the Company to make and maintain the Railway and Works in the Line and upon the Lands delineated on the said Plans, and described in the said Book of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Company
not to take
certain
Lands.

XVII. And be it enacted, That nothing in this Act contained shall authorize the Company to make any lateral Deviation into any Lands not numbered upon the said Plans, or, being numbered thereon, not described in the said Books of Reference, without Consent in Writing of the Owner and Occupier thereof.

Main Line
of Railway.

XVIII. And be it enacted, That the Railway shall commence at or near a Place or Mill called *Melin-y-Manach*, in the Parish of *Llandilo-tal-y-bont* in the County of *Glamorgan*, and shall pass from thence in, through, or into the following Parishes or Places, or some of them, (that is to say,) *Llandilo-tal-y-bont*, *Tyr-y-brenin*, *Llangafelach*, *Pendery Lower*, *Clase Lower*, *Loughor*, *Loughor* Borough or Township, *Swansea* Higher Division, *Swansea* Lower Division, *Llanrhidean*, *Llanrhidean Higher*, and *Oystermouth*, and shall terminate at or near a Place called *Rhydydefydd*, in the said Parish of *Swansea*, in and upon certain Fields in the Parliamentary Plan numbered respectively 141, 142, and 143, or some one of them.

Locomotive
Power not to
be used to
the South of
the summit
Level of
Railway

XIX. Provided always, and be it enacted, That, notwithstanding this or any thing in this Act or the recited Acts contained or implied to the contrary, it shall not be lawful for the said Company, or for any other Company or Person, to use Locomotive Engines on any Part of the said Railway by this Act authorized which may be laid down to the South of or beyond the summit Level of the said Railway, or beyond the Point where the said Railway enters the Field numbered on the said Plans 195 in the said Parish of *Swansea*.

Crossing of
the South
Wales Rail-
way to be
under the
Direction of
their Engi-
neer.

XX. And be it enacted, That the said Railway shall be carried over the *South Wales* Railway by a Bridge to be constructed according to Plans to be approved by and under the Direction and Superintendence of the Engineer for the Time being of the *South Wales* Railway, and if any Difference of Opinion shall arise between the *South Wales* Railway Company and *Cameron's Coalbrook Steam Coal and Swansea and Loughor* Railway Company, or between their respective Engineers for the Time being, as to the Mode of effecting such crossing,

crossing, then such Difference shall be referred to the Decision of the Board of Trade.

XXI. And be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company hereby incorporated to take or enter upon any of the Lands or Grounds belonging to the *South Wales* Railway Company, further or otherwise than is hereby expressly authorized, and further than may be absolutely necessary for the Construction of the Railway, and for effecting the continuous crossing 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.

XXII. 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.

XXIII. And whereas the Railway or Tramroad of the Company hereby incorporated is intended to communicate with a certain Branch Tramroad made under the Powers of an Act passed in the Forty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making and maintaining a Railway or Tramroad from the Town of Swansea into the Parish of Oystermouth in the County of Glamorgan*, and extending from *Rhydydefydd* aforesaid to a Place called *Ynis*, in the Parish of *Swansea*; be it enacted, That if the Owners for the Time being of the said Branch Tramroad shall neglect or omit, after Three Calendar Months Notice in Writing, to repair the same from Time to Time as Occasion shall require, it shall be lawful for the Company hereby incorporated to repair such Branch Tramroad, and to reimburse themselves out of the Rates and Tolls payable to such Owner for the Use of the said Branch Tramroad under the Provisions of the said recited Acts.

Power to Railway Company to repair Tramroad.

44 G. 3. c. 55.

XXIV. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Ten Acres.

Land for extraordinary Purposes.

XXV. 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.

Compulsory Purchase of Lands limited.

XXVI. And be it enacted, That the Railway and Branches shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the recited

Period for Completion of Works.

Acts granted to the Company for executing the Railway and Branches, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway and Branches as shall then be completed.

Tolls.

XXVII. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the Railway, not exceeding the following; that is to say,

On Articles
of Merchan-
dize.

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

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

For all Coals, Culm, Coke, Charcoal, and Cinders, all Stones for buildings, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, *per Ton per Mile* not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *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 all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Two-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, 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 Penny:

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

For every Two-wheeled Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Three-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.

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2. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows :

On Passengers and Cattle.

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

For every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per* Mile not exceeding Three-pence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny :

For every Calf, Pig, 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 not exceeding One Farthing.

XXVIII. And be it enacted, That the Toll which the Company may demand and receive for the Use of Engines or other Power for propelling Carriages or Trucks on the Railway shall not exceed Three Farthings *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Tolls for propelling Power.

XXIX. 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 the Tolls.

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.

XXX. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, 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

up of 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.

Passengers
Luggage.

XXXI. 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.

Maximum
Charges for
Conveyance
of Passen-
gers.

XXXII. And be it enacted, That it shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway than Two-pence *per Passenger per Mile* in respect of any Passenger travelling in a First-class Carriage, One Penny Halfpenny *per Passenger per Mile* in respect of any Passenger travelling in a Second-class Carriage, and One Penny *per Passenger per Mile* in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance.

For Convey-
ance of
Goods and
and Cattle.

XXXIII. And be it enacted, That it shall not be lawful for the Company to charge in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, herein-after mentioned, conveyed on the Railway, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive or other Power, and all other Charges incident to such Conveyance, (except a reasonable Charge for the Expence of loading and unloading, where such Service is performed by the Company,) than the several Sums herein-after mentioned ; (that is to say,)

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* Two-pence :

For all Coals and Culm, the Sum of Two-pence *per Ton per Mile* :

For all Coke, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slate, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Description of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *per Ton per Mile* Two-pence Three Farthings :

For

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Three-pence Halfpenny :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per Ton per Mile* Four-pence Halfpenny :

For every Carriage, of whatever Description, having more than Two Wheels, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton and a Half, *per Mile* Sixpence ; and if having only Two Wheels, and not weighing more than One Ton, *per Mile* Four-pence :

For every Horse, Mule, Ass, Ox, Cow, Bull, or Neat Cattle, *per Mile* Four-pence Halfpenny :

For every Calf, Pig, Sheep, Lamb, or other small Animal, *per Mile* One Penny.

XXXIV. Provided always, and be it enacted, That if any Person shall desire to hire and retain a separate Waggon or Truck for the Conveyance of Cattle or Sheep belonging to him, it shall not be lawful for the Company to charge any greater Sum, including all the Charges aforesaid, than One Shilling *per Mile* for every Waggon or Truck capable of containing conveniently Six Beasts of an ordinary Size or Thirty Sheep. Tolls for separate Trucks for Cattle, &c.

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

XXXVI. 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 in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways* ; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops* ; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament ; and for other Purposes 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 the Provisions of 1 & 2 Vict. c. 98. 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., and 7 & 8 Vict. c. 85.

XXXVII. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, which may pass Provision for future general Railway Acts.

[Local.]

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during

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.

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

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