CHAPTER cxciv.

An Act for making a Railway from the Oystermouth Railway or Tramroad to the Mumbles Head, with a Pier in connexion therewith; and for other purposes. A.D. 1889.

[26th August 1889.]

WHEREAS the making of the railway and pier herein-after described would be of public and local advantage:

And whereas the persons in this Act named with others are willing at their own expense to construct the railway and pier, and it is expedient that powers should be conferred on them for the purpose:

And whereas plans and sections showing the lines and levels of the railway and pier authorised by this Act, and also books of reference 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 or under the powers of this Act were duly deposited with the clerk of the peace for the county of Glamorgan, and are herein-after respectively referred to as the deposited plans sections and books of reference:

And whereas it is expedient to authorise the Swansea Harbour Trustees to acquire the pier:

And whereas it is expedient to authorise the working and traffic agreements and to confer the running and other powers herein-after mentioned:

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:

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Short title.

1. This Act may be cited as the Mumbles Railway and Pier Act 1889.

Incorporation of Acts.

2. The Companies Clauses Consolidation Act 1845, Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863, as amended by the Companies Clauses Act 1869, 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) and Part III. (relating to working agreements) of the Railways Clauses Act 1863, and the Harbours, Docks and Piers Clauses Act 1847, with the exception of sections sixteen, seventeen, eighteen and nineteen (which shall not be in force for the purposes of this Act save so far as from time to time the same may be required by the Board of Trade) are (except where expressly varied by this Act) incorporated with and form part of this Act, and the provisions of sections thirteen, eighteen and nineteen of the Railways Clauses Act 1863, shall extend and apply to the pier authorised by this Act.

Interpretation.

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; the expression "the Company" or "the Undertakers" means the Company incorporated by this Act; the expression "the railway" means the railway by this Act authorised; the expression "the pier" means the pier and works connected therewith by this Act authorised; and the expression "the undertaking" means the undertaking by this Act authorised; and for the purposes of this Act, the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Company incorporated.

4. Sir John Jones Jenkins, Knight, John Richardson Francis, Thomas Cory, Edward Daniel, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors and assigns respectively, shall be and are hereby united into a Company for the purpose of making and maintaining the railway and pier, and for other the purposes of this Act, and for

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those purposes shall be and are hereby incorporated by the name of "the Mumbles Railway and Pier Company" and by that name shall be a body corporate with perpetual succession and a common seal, and with power to purchase, take, hold and dispose of lands and other property for the purposes of this Act.

Power to make railway and pier.

5. Subject to the provisions of this Act, the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections, the railway and pier hereinafter described, with all proper stations, sidings, approaches, landing and shipping places, moorings, works and conveniences connected therewith respectively, 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 that purpose. The railway and pier hereinbefore referred to and authorised by this Act will be wholly situate in the parish of Oystermouth and on the shore of Swansea Bay, in the county of Glamorgan, and are:—

(1) A railway one mile two furlongs and two chains in length commencing by a junction with the Oystermouth Railway or Tramroad, at a point ten and a half chains or thereabouts measured along that railway in a northerly direction from the booking office at the Oystermouth terminal station thereon, and terminating at the point marked B on the duplicate signed plan herein-after referred to:

(2) A pier and pier-head with rails thereon, in connexion with the railway before described, commencing at a point on the intended railway at or near high water mark on the shore of Swansea Bay, two and a quarter chains or thereabouts north-westwards of the north-east corner of the Mumbles lifeboat house, thence proceeding in a north-easterly direction across the beach and foreshore and into Swansea Bay, and terminating in the bay at a point distant six hundred and twenty yards or thereabouts measured from the north-eastern corner of the said lifeboat house:

Provided that the railway shall be constructed between the points marked A and B on the deposited plans, within the contracted limits of deviation, delineated by a red line on a duplicate of such plans deposited in the Parliament Office, and signed by the Right Honourable the Viscount Hardinge, the chairman of the committee to whom the Bill for this Act was referred, and not outside such contracted limits of deviation, and, notwithstanding anything shown on the deposited plans, the railway shall terminate at the point marked B on the said duplicate signed plan.

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Limiting quantity of land to be taken from Mumbles Hill.

6. The quantity of land which may be taken by the Company from the common or reputed common or commonable land next herein-after mentioned for the purposes of the railway and pier, shall not exceed the quantity mentioned in connexion with such land :—

Name by which land is known.	Parish in which land is situate.	Estimated quantity proposed to be taken.
Mumbles Hill	Oystermouth	Two acres

Capital.

7. The capital of the Company shall be eighty-one thousand pounds, in eight thousand one hundred shares of ten pounds each.

Shares not to be issued until one-fifth paid.

8. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person or corporation accepting the same, unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

Calls.

9. One-fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and four-fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt in case of persons not sui juris.

10. If any money is payable to a shareholder, mortgagee, or debenture stockholder, being a minor, idiot or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to borrow.

11. The Company may from time to time borrow on mortgage of the undertaking any sums not exceeding in the whole twenty-seven thousand pounds, and of that sum they may borrow not exceeding thirteen thousand five hundred pounds on the production of a certificate of the Board of Trade stating that the Company have opened the railway for the public conveyance of passengers, and not exceeding the further sum of thirteen thousand five hundred pounds when 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 shares for the whole of the capital by this Act authorised have 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 capital

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has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such shares were issued 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 certificate shall be sufficient evidence thereof.

For appointment of a receiver.

12. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees, by whom the application for a receiver is made, shall not be less than one thousand pounds in the whole.

Debenture stock.

13. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863, but, notwithstanding anything therein contained, the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this Act or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised), and shall have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be indorsed on all mortgages and certificates of debenture stock.

Application of moneys.

14. All moneys raised under this Act, whether by shares, debenture stock or borrowing shall be applied for the purposes of this Act only.

First ordinary meeting and quorum.

15. The first ordinary meeting of the Company shall be held within eight months after the passing of this Act, and the quorum for general meetings, whether ordinary or extraordinary shall be five shareholders holding together not less than five thousand pounds in the capital of the Company.

Number of directors.

16. The number of the directors shall be five, but the Company may from time to time reduce the number, provided that the number be not less than three.

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Qualification of directors.

17. The qualification of a director shall be the possession in his own right of not less than thirty shares.

Quorum.

18. The quorum of a meeting of directors shall be three.

First directors.

19. Sir John Jones Jenkins, Knight, John Richardson Francis, Thomas Cory, Edward Daniel, and one other duly qualified person to be nominated by them, or the majority of them, and consenting to such nomination, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid, or any of them, or may elect a new body of directors or directors to supply the place of those not continued in office, the directors appointed by this Act or nominated as aforesaid being, if they continue qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting, the shareholders present in person or by proxy shall (subject to the power hereinbefore contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions of the Companies Clauses Consolidation Act 1845, and the several persons elected at any such meeting, being neither removed nor disqualified, nor having died or resigned, shall continue to be directors until others are elected in their stead, in manner provided by the same Act.

Election of directors.

Land for extraordinary purposes.

20. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845, shall not exceed one acre; but nothing in this Act shall exempt the Company from any indictment, action or other proceeding for nuisance in the event of any nuisance being caused by them upon any land taken under the powers of this section.

Period for compulsory purchase of lands.

21. 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.

Junction with Oystermouth Railway or Tramroad and station at Oystermouth.

22. Unless the Company and the Swansea and Mumbles Railway Company, Limited, otherwise agree, the junction of the railway with the Oystermouth Railway or Tramroad, shall be made at the point shown on the deposited plans, and shall in all other respects be subject to the provisions of Part I. of the Railways Clauses Act, 1863; and the present Oystermouth station shall be altered by the said limited company or their lessees, and made

suitable for the traffic on the railway and on the Oystermouth Railway or Tramroad, and shall be used by the Company, so long as the said limited company or their lessees continue to use the same, and the proportion of the expense of altering and maintaining that station to be paid by the Company shall, in case of difference, be settled by an arbitrator, in manner provided by the Railway Companies Arbitration Act, 1859.

Access for the public to the shore not to be cut off.

23. The Company in constructing the railway by this Act authorised shall make and permanently maintain, at their own expense, for the free use of the public, such footways and carriageways over, under or across the railway as the Board of Trade may direct or approve.

Provision as to lifeboat house at Mumbles.

24. Before the railway is constructed so as to interfere with the access from the lifeboat house at the Mumbles to the seashore, the Company shall provide an archway or opening, at least twelve feet six inches wide and twelve feet high thoughout, with a suitable slipway for launching and drawing up the lifeboat, in such position as the Committee of the Royal National Lifeboat Institution shall approve; or, if required by the said Committee, the Company shall take down the present lifeboat house and rebuild the same, and provide a suitable slipway in connexion therewith, in such position upon land of the Company on the seaward side of the railway as shall be satisfactory to the said Committee.

Power to deviate in construction of pier.

25. The Company may, with the consent in writing of the Board of Trade, in constructing the pier deviate from the lines thereof to the extent of the limits of deviation marked on the deposited plans, and with the like consent may deviate from the levels thereof shown on the deposited sections to the extent of five feet, and to such further extent laterally or vertically as may be sanctioned by the Board of Trade.

Incidental works.

26. The Company may, with the consent in writing of the Board of Trade, excavate, deepen, scour and dredge from time to time such parts of Swansea Bay and foreshore near the pier as may be necessary for securing convenient access thereto by ships and vessels.

Prescribed limits for pier master.

27. The prescribed limits referred to in section fifty-two of the Harbours, Docks and Piers Clauses Act 1847, shall be the pier by this Act authorised, and a distance of one hundred yards from any and every part thereof below high-water mark.

Restriction on taking houses of labouring class.

28. The Company shall not, under the powers of this Act, without the consent of the Local Government Board, purchase or

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acquire in any 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 at any time after the passing of this Act have been, or on the fifteenth day of December last were occupied either wholly or in part by persons belonging to the labouring class.

For the purposes of this section the expression "labouring class" 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.

Power to take easements, &c. by agreement.

29. 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.

Railway deposit fund not to be repaid except so far as railway opened.

30. Whereas pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty chapter twenty, there has been deposited with the Paymaster-General, for and on behalf of the Supreme Court of Judicature in England in respect of the application to Parliament for this Act, a sum of three thousand three hundred and eighty-two pounds nine shillings and sixpence Two-and-three-quarters per centum consolidated stock, of which one thousand one hundred and twenty pounds nine shillings and sixpence is equal to five per centum on the amount of the estimate in respect of the railway (in this Act referred to as the railway deposit fund), and two thousand two hundred and sixty-two pounds is equal to four per centum on the amount of the estimate in respect of the pier (in this Act referred to as the pier deposit fund): Be it enacted that notwithstanding anything contained in the said Act the railway deposit fund shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in

the warrant or order issued in pursuance of the said Act or the survivors or survivor of them (which persons, survivors or survivor are or is in this Act referred to as the depositors), unless the Company shall previously to the expiration of the period limited by this Act for the completion of the railway open the same for the public conveyance of passengers: Provided that if within such period as aforesaid the Company open the railway for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying that the railway has been opened as aforesaid, the High Court of Justice in England shall on the application of the depositors or the majority of them order the railway deposit fund to be paid or transferred to them or as they shall direct, and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

Application of railway deposit fund.

31. If the Company do not previously to the expiration of the period limited by this Act for the completion of the railway complete the same and open it for the public conveyance of passengers then and in every such case the railway deposit fund 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 railway or any portion thereof, or who may 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 has been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court of Justice in England may seem fit; and if no such compensation is payable or if a portion of the railway deposit fund has been found sufficient to satisfy all just claims in respect of such compensation, then the railway deposit fund 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 court 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 court, if the Company is insolvent and has been ordered to

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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: Provided that until the railway deposit fund has been repaid to the depositors or has become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

Provision for release of pier deposit fund.

32. On the application of the depositors, their executors or administrators, in a summary manner at any time after the passing of this Act the High Court of Justice may and shall order that the pier deposit fund of two thousand two hundred and sixty-two pounds Two-and-three-quarters per centum consolidated stock and any interest thereon shall be repaid to the depositors, their executors. or administrators, or to any other person or persons whom they may appoint on their behalf.

Period for completion of works.

33. If the railway and pier 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 executing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall then be completed.

Tolls.

34. The Company may demand and take in respect of the use of the railway any tolls not exceeding the following (that is to say) :—

In respect of passengers conveyed on the railway :—

Class 1. For every person conveyed in a first-class carriage per mile twopence ;

Class 2. For every person conveyed in a second-class carriage per mile one penny halfpenny ;

Class 3. For every person conveyed in a third-class carriage per mile one penny :

In respect of animals conveyed on the railway :—

Class 4. For every horse, mule or ass or other beast of draught or burden conveyed in or upon any carriage per mile twopence ;

Class 5. For every ox, cow, bull or neat cattle conveyed in or upon any carriage per mile one penny halfpenny ;

Class 6. For every calf, pig, sheep or lamb or other small animal conveyed in or upon any carriage per mile one halfpenny :

In respect of goods conveyed on the railway :—

Class 7. For all coals, coke, culm, slack, cannel, cinders, lime, limestone, sand, clay (except fire-clay), chalk, dung, compost and all sorts of common manure and all undressed materials for the repair of highways, ironstone and iron ore per ton per mile one penny;

Class 8. For all pig iron, bar iron and all other similar descriptions of iron, and iron castings not manufactured into utensils or other articles of merchandise, undressed stone for building, pitching and paving, bricks, tiles, common slates, fire-clay, charcoal, bats, copper, tin, lead and other ores per ton per mile one penny halfpenny;

Class 9. For all sugar, grain, corn, flour, potatoes, guano and artificial manures, hides (dried and salted), dye-woods, timber, staves and deals, metals (except iron), tinned plates, nails, anvils, vices, hoop-iron, sheet-iron, and chains per ton per mile twopence;

Class 10. For lace, furs, silk, drapery, millinery, china, glass, cotton, wool, manufactured goods, drugs, and all other wares, merchandise, fish, articles, matters or things per ton per mile threepence:

In respect of carriages conveyed on the railway :—

Class 11. For every 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 belonging to the Company if having more than two wheels per mile fourpence, and if having only two wheels per mile three pence, and for every additional quarter of a ton up to four tons which any such carriage weighs one penny per mile in addition if such carriage have more than two wheels and three farthings per mile in addition if the same have only two wheels.

Tolls for carriages,&c.

35. The Company may for carriages supplied by them demand and take for or in respect of goods, articles, matters or things, persons or animals comprised in either of the classes herein-before specified (in addition to the other tolls by this Act authorised), any tolls not exceeding the tolls next herein-after mentioned in connexion with the class in which such goods, articles, matters or things, persons or animals are respectively comprised (to wit) :—

For Class 1 for each person per mile one penny;

For Class 2 for each person per mile three farthings;

For Class 3 for each person per mile one halfpenny;

For Class 4 for each animal per mile one penny;

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For Class 5 for each animal per mile one penny;
For Class 6 for each animal per mile one halfpenny;
For Class 7 per ton per mile one penny;
For Class 8 per ton per mile one halfpenny;
For Class 9 per ton per mile three farthings;
For Class 10 per ton per mile one penny;
For Class 11 for each carriage per mile twopence:
Provided always that the Company shall not be obliged to provide carriages for more than two classes of passengers.

Tolls for propelling power.

36. The tolls which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one penny per mile for each passenger or animal or for each ton of goods in addition to the several other tolls or sums by this Act authorised to be taken.

Regulations as to tolls.

37. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act (that is to say):—

Short distances.

For all passengers, animals or goods conveyed on the railway for a less distance than two miles the Company may demand tolls and charges as for two miles;

Fractional parts of a ton.

For the fraction of a ton the Company may demand tolls 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;

General weight.

With respect to all articles except stone and timber the weight shall be determined according to the imperial avoirdupois weight;

Weight of stone and timber.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech or ash and fifty cubic feet of any other timber shall be deemed one ton weight, and so in proportion for any smaller quantity.

Tolls for small parcels and articles of great weight.

38. With respect to small parcels not exceeding five hundred pounds in weight and single articles of great weight, notwithstanding anything in this Act the Company may demand and take any tolls not exceeding the following (that is to say):—

For the carriage of small parcels on the railway:—

For any parcel not exceeding seven pounds in weight threepence;

For any parcel exceeding seven pounds but not exceeding fourteen pounds in weight fivepence;

For any parcel exceeding fourteen pounds but not exceeding twenty-eight pounds in weight sevenpence;

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight ninepence;

For any parcel exceeding fifty-six pounds but not exceeding one hundred pounds in weight one shilling and sixpence, and for every additional one hundred pounds in weight up to five hundred pounds in weight ninepence:

Provided always that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages:

For the carriage of single articles of great weight on the railway:—

For the carriage of any single thing the weight of which including the carriage exceeds four tons but does not exceed eight tons the Company may demand and take any sum not exceeding sixpence per ton per mile;

For the carriage of any single thing the weight of which including the carriage exceeds eight tons the Company may demand and take any sum they think fit.

Maximum rates for passengers

39. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway, including the tolls for the use of the railway and for carriages and locomotive power and every other expense incidental to such conveyance, shall not exceed the following (that is to say):—

For every passenger conveyed in a first-class carriage the sum of threepence per mile;

For every passenger conveyed in a second-class carriage the sum of twopence per mile;

For every passenger conveyed in a third-class carriage the sum of one penny per mile.

Maximum rates for animals and goods.

40. The maximum rate of charge to be made by the Company for the conveyance of animals and goods (except small parcels and single articles of great weight as aforesaid) on the railway, including the tolls for the use of the railway, and for wagons or trucks and locomotive power, and for every other expense incidental to the conveyance, except a reasonable charge for loading and unloading goods at any terminal station in respect of such goods, and for delivery and collection and any other service incidental to the business or duty of a carrier (where any such service is performed by the Company), shall not exceed the following sums (that is to say):—

Class 4. For each animal fourpence per mile;

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Class 5. For each animal twopence per mile;
Class 6. For every calf or pig one penny per mile, and for every other small animal three farthings per mile;
Class 7. One penny halfpenny per ton per mile;
Class 8. Twopence per ton per mile;
Class 9. Twopence halfpenny per ton per mile;
Class 10. Fourpence per ton per mile;
Class 11. For every carriage if having more than two wheels and not weighing more than one ton fivepence per mile and one penny farthing for every additional quarter of a ton, and if having only two wheels fourpence per mile and one penny for every additional quarter of a ton.

Passengers' luggage.

41. Every passenger travelling upon the railway may take with him his ordinary luggage not exceeding one hundred and twenty pounds in weight for first-class passengers, one hundred pounds in weight for second-class passengers, and sixty pounds in weight for third-class passengers without any charge being made for the carriage thereof.

Terminal station.

42. No station shall be considered a terminal station in regard to any goods conveyed on the railway unless such goods have been received thereat direct from the consignor or are directed to be delivered thereat to the consignee.

Foregoing charges not to apply to special trains.

43. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railway in respect of which the Company may make such charges as they think fit, but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers and goods upon the railway.

Company may take increased charges by agreement.

44. Nothing in this Act shall prevent the Company from taking any increased charges over and above the charges by this Act limited for the conveyance of animals or goods of any description by agreement with the owners or persons in charge thereof, either by reason of any special service performed by the Company in relation thereto or in respect of the conveyance of animals or goods other than small parcels by passenger trains.

Application of provisions of Railway and Canal Traffic Act, 1888, as to revision of rates.

45. Section 24 of the Railway and Canal Traffic Act, 1888, and any enactment which may be passed in the present or any future session of Parliament, extending or modifying that enactment, shall with any necessary modifications apply to the Company in all respects, as if it were one of the companies to which the provisions of the said enactment in terms applied: Provided that the time

within which the revised schedule of maximum rates and charges prescribed by the said section shall be submitted to the Board of Trade, shall be three years from the date of the passing of this Act, or such further time as the Board of Trade may permit.

Rates for use of pier.

46. The Company may demand and receive for every person who shall land from or embark on any vessel at the pier, and for every person who shall walk on or use the pier, and for all animals, articles, goods, wares and merchandise which shall be shipped or unshipped, received or delivered from or upon the pier, and for every vessel using the pier any sums not exceeding the several rates and sums specified in the First Schedule to this Act.

Rates payable on vessels using the pier.

47. When and so soon as it shall from time to time be certified under the hand of an officer to be appointed by the Board of Trade for that purpose, that the Company have constructed, and so far completed, any portion of the pier and other works connected therewith as to afford safe and convenient accommodation for vessels, and for passengers landing or embarking, and for goods and merchandise it shall be lawful for the Company, although the whole of the pier shall not then have been completed, from time to time to take or receive for or in respect of every vessel (other than steam vessels) using, coming to, or lying at the pier, or departing therefrom, any sum not exceeding fourpence for every registered ton of such vessel, and for and in respect of every steam vessel using, coming to, or lying at the pier, or departing therefrom, any sum not exceeding fivepence for every registered ton of such vessel, and every such rate or sum shall be payable by the master or other person in charge of the vessel; but nothing herein contained shall authorise the Company to demand, take or receive any such tonnage after the time herein-before appointed for completion of the works by this Act authorised, unless the same shall have been then completed in accordance with the powers contained in this Act.

Further tonnage rates for vessels remaining at the pier longer than twenty-four hours.

48. If any vessel using the pier, whether the same vessel shall previously have paid or been liable to pay tonnage rates or not, shall remain at the pier for any longer space of time than twenty-four hours, the Company may demand for every such vessel a further rate of twopence per ton for every three hours, and so on in proportion for every subsequent three hours, during which any such vessel shall remain as aforesaid beyond the said period of twenty-four hours, in addition to the tonnage rates payable by virtue of this Act: Provided always, that such additional rates

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shall not be payable for any vessel which shall have been detained by stress of weather.

Cranes, weighing machines, &c.

49. The Company may erect or provide such cranes, weighing and other machines, conveniences, weights and measures upon the pier as they may think necessary for loading, unloading, measuring, and weighing any goods, articles or things landed at or delivered from the pier, and the Company, in addition to the other sums which they are by this Act empowered to demand, may demand, receive and take for the use thereof, including the services of persons employed by the Company at the pier, such reasonable rates or charges as the Company think fit, not exceeding the rates and charges specified in the First Schedule to this Act.

Company may appoint meters and weighers.

50. The Company may appoint and license a sufficient number of persons to be meters and weighers.

Byelaws as to disposal of ballast.

51. The Company from time to time may make, alter and repeal such byelaws as they think fit for regulating the removal and disposal of all ballast brought by vessels arriving at the pier, and for regulating the supply of ballast to vessels leaving the pier, so as to prevent ballast being thrown or allowed to fall overboard within the prescribed limits; and the provisions of the Harbours, Docks, and Piers Clauses Act 1847, with respect to byelaws, shall extend and apply to any byelaw which may be made under this enactment, but no such byelaw shall come into operation until confirmed by the Board of Trade.

Company to exhibit lights.

52. The Company shall, at the outer extremity of the pier hereby authorised, exhibit and keep burning, from sunset to sunrise, such light or lights (if any) as the Corporation of Trinity House, Deptford Strond, shall from time to time direct. If the Company fail to comply in any respect with the provisions of this section, they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Provision against danger to navigation.

53. In case of injury to, or destruction or decay of, the pier or works, or any part thereof, the Company shall lay down such buoys, exhibit such lights, or take such other means for preventing, so far as may be, danger to navigation as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that corporation for directions as to the means to be taken, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to obey any direction given in reference to the means to be taken.

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Running powers over Oystermouth Railway.

54. The Company and any company or persons working or using the railway or any part thereof, by agreement or otherwise, from time to time may run over, work and use, with their engines and carriages and for the purposes of local and through traffic of every description, and with their clerks, officers and servants, the Oystermouth Railway or Tramroad including any branches thereof (except the Clyne Valley Branch), together with the stations, junctions, signals, booking offices, warehouses, landing places, platforms, water, watering places and standing room for engines, and carriages, sidings, works and conveniences connected with the said railway and branches respectively, except the said branch, and the Company and any such company or persons as aforesaid may demand and take the same tolls and charges upon and in respect of the said railway or tramroad and stations as they would be entitled to demand and take, if such railway or tramroad and stations were part of the railway by this Act authorised: Provided always that the powers by this section conferred upon the Company and such other company and persons as aforesaid shall not be exercised in such manner as unreasonably to interfere with the running powers exercisable by the Swansea Improvements and Tramways Company over the Oystermouth Railway or Tramroad, under the Swansea Improvements and Tramways Act, 1874. Any dispute under this proviso between the Company or such other company or persons as aforesaid and the Swansea and Mumbles Railway Company, Limited, or other the owners for the time being of the Oystermouth Railway or Tramroad, or between any of such companies or persons, and the Swansea Improvements and Tramways Company, shall be determined by arbitration under the Railway Companies Arbitration Act, 1859, as if the parties to the arbitration were respectively railway companies.

Terms of such user.

55. The Company and such other company or persons as aforesaid, in running over and using the Oystermouth Railway or Tramroad, and the stations, sidings, booking offices and other conveniences connected therewith, shall be entitled to fix their own tolls, rates and fares; and the mileage proportion of the gross receipts arising from the exercise of such running powers attributable to the railway or portion of railway run over shall be ascertained after deduction of the usual clearing house or such other terminals as may be agreed upon, and also all paid ons and paid outs, proportions paid or due to other companies, and Government duty, and when so ascertained shall be divided in the proportion of 70 per cent. to the owning company, and 30 per cent. to the running company, or persons. Any difference in regard to the mileage

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proportion of the gross receipts or the deductions to be made therefrom, to be settled by an arbitrator in manner provided by the Railway Companies Arbitration Act, 1859.

Proper accounts to be kept for inspection, &c.

56. The Company, and such other company or persons as aforesaid, shall, while exercising such running powers, keep all such accounts, with all such items and vouchers as are from time to time proper and sufficient to show the traffic conveyed by them respectively over the said railway or tramroad, or any part thereof, and the tolls, rates and fares received for the same, and the deductions made or claimed to be made therefrom; and such accounts and vouchers shall at all reasonable times be open to the inspection and transcription of the said limited company or their lessees, or some person to be appointed by them or either of them for the purpose, and the Company, and any such other company or persons as aforesaid, shall afford all reasonable facilities for such inspection and transcription.

Byelaws to be observed.

57. The Company and such other company or persons aforesaid, in using or traversing the said railway or tramroad and in using the stations and conveniences thereof, in accordance with the provisions herein-before contained, shall at all times observe the regulations and byelaws for the time being in force on the undertaking so used so far as such regulations and byelaws shall be applicable in the exercise of the said powers.

Power to enter into traffic arrangements.

58. The Company on the one hand, and the Swansea and Mumbles Railway Company Limited, or other the owners for the time being of the Oystermouth Railway or Tramroad and their lessees, and the Swansea Harbour Trustees or either of them on the other hand may, subject to the provisions of Part III. of the Railways Clauses Act 1863 as amended or varied by the Railway and Canal Traffic Acts 1873 and 1888, from time to time enter into and carry into effect agreements with respect to the following purposes or any of them (that is to say) :—

The working, use, management and maintenance of the railway, pier and works;

The supply of rolling or working stock for the purposes and during the continuance of any agreement for the working and use of the railway by the said Limited Company or their lessees or the Swansea Harbour Trustees or any of such parties respectively, and of officers and servants for the conduct and conveyance of the traffic on the railway;

The interchange, transmission and delivery of traffic coming from or destined for the respective railways of the contracting

companies and parties, and the fixing of the tolls or charges to be demanded and recovered in respect of such traffic, and the division and apportionment of the receipts arising from any such traffic. A.D. 1889.

Tolls on traffic conveyed partly on railway of Company and partly on other railways.

59. Where under the provisions of this Act traffic is conveyed partly on the railway of the Company and partly on the Oystermouth Railway or Tramroad, the railway of the Company and the said railway or tramroad shall for the purposes of tolls and charges be considered as one railway, and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railway of the Company and partly on the said railway or tramroad for a less distance than three miles tolls and charges may only be charged as for three miles, and in respect of passengers for every mile or fraction of a mile beyond three miles tolls and charges as for one mile only, and in respect of animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond three miles tolls and charges as for a quarter of a mile only, and no other short distance charge shall be made for the conveyance of passengers, animals or goods partly on the railway of the Company and partly on the Oystermouth Railway or Tramroad.

Provision for transfer of pier undertaking to Swansea Harbour Trustees.

60. If at any time before the thirty-first day of October, one thousand eight hundred and ninety, the Swansea Harbour Trustees (herein-after called "the trustees") shall by three months' previous notice in writing, under their common seal, addressed and sent or delivered to the secretary, or any two directors of the Company, require the Company to transfer to the trustees the pier undertaking by this Act authorised, the Company shall transfer, and the trustees shall accept such transfer of the pier undertaking, with all the rights powers and privileges for constructing and completing the same, including the power of demanding and recovering tolls, rates and dues conferred on the Company by this Act, upon the terms of paying to the Company their actual expenditure on and in respect of the pier, with interest thereon at the rate of four pounds per centum per annum from the date or dates of such expenditure, and the trustees shall, subject to the provisions of this Act, complete and open the pier within three years after the date of transfer.

Swansea Harbour Trustees may raise money for purposes of pier.

61. The trustees may raise, for the purpose of the purchase of the pier undertaking, or the construction or completion of the pier when purchased, any sum not exceeding thirty thousand pounds, by the issue of Swansea Harbour redeemable stock, under and in accordance with the provisions of Part IV. of the Swansea Harbour

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Act, 1886, which shall apply as if such sum were borrowed before the passing of that Act; and all moneys which the trustees may raise under the powers of this Act shall be applied for the before-mentioned purposes only, being in all cases purposes to which capital is properly applicable.

Arbitration.

62. If any question shall arise between the trustees and the Company as to any of the provisions of this Act affecting the trustees, the same shall, in case of difference, be settled by an arbitrator to be appointed by the Board of Trade on the application of either party, and the costs of such arbitration shall be paid as the arbitrator shall direct.

Confirmation of agreement with Duke of Beaufort.

63. The agreement, made the twenty-ninth day of July, one thousand eight hundred and eighty-nine, between the Duke of Beaufort of the one part, and the promoters of the undertaking by this Act authorised, on behalf of the Company, of the other part, as set forth in the Second Schedule to this Act annexed, shall be and the same is hereby confirmed and made binding on the said duke and the Company respectively, and full effect may and shall be given thereto.

Saving for Duke of Beaufort.

64. Except as is by this Act expressly provided, nothing in this Act shall extend or be construed to extend to affect, prejudice, alter, diminish, abridge or take away the royalty, right or property of the Duke of Beaufort, his heirs, successors or assigns, in and to any royalties, rights, property, duties, tolls, payments, powers, authorities, jurisdictions, privileges, liberties and franchises whatsoever of, or belonging to, the said duke, his heirs, assigns or successors in the seignories of Gower and Kilvey, as lord or lords thereof, and otherwise, and of any future lord or ladies thereof, or as admiral or admirals of the seas, bays, havens, creeks, ports and rivers within, bordering on and surrounding the same, or of his or their officer or officers in their respective duties within the same, but that the same remain to him and them entire, wholly and altogether, as if this Act had not passed.

Saving rights of Crown under Crown Lands Act.

65. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects, or any rights, powers or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866, and which may belong to or be exercisable on behalf of Her Majesty, Her heirs or successors.

Saving rights of the Crown in the foreshore.

66. 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.

Interest not to be paid on calls paid up.

67. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him, but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Deposits for future Bills not to be paid out of capital.

68. The Company shall not out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway, or to execute any other work or undertaking.

Provision for Merchant Shipping Act and general Acts.

69. Nothing in this Act contained shall exempt the pier or the Company from the provisions of the Merchant Shipping Act 1854, or any general Acts relating to dues on shipping or on goods carried in ships now in force, or which shall be passed during the present or any future session of Parliament, or from any future revision or alteration under the authority of Parliament of the rates or duties by this Act authorised.

Provision as to general Railway Acts.

70. 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 this Act.

Costs of Act.

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

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The FIRST SCHEDULE referred to in the foregoing Act.

Rates on Vessels using the Pier.

		s.	d.
For every vessel under the burden of 15 tons	per ton register	0	4
For every vessel of the burden of 15 tons and under 100 tons	„	0	6
For every vessel of the burden of 100 tons and under 200 tons	„	0	8
For every vessel of the burden of 200 tons and under 500 tons	„	0	10
For every vessel of the burden of 500 tons and upwards	„	1	0
All lighters for each trip	„	0	2
All boats entirely open landing or taking on board goods	each	0	6

Rates on Cattle, and Goods shipped or unshipped at the Pier.

	s.	d.
For every horse or mule	2	0
For cattle, per head	1	0
Sheep, lambs and pigs, per head	0	1
Calves, per head	0	2
One-horse carriages	1	6
Two-horse carriages	4	0
For every quarter of wheat, oats, rye, barley, malt, beans, peas, tares, mustard-seed, canary, and seeds of every denomination	0	2
Anchors, per cwt.	0	3
Ashes, per cwt.	0	1
Anchor stock, per foot run	0	1
Apples and pears, per sack of three bushels	0	2
Asparagus, per 14 lbs.	0	2
Ale, porter, beer, cider, or perry, per 9 gallons	0	2
Ditto, in bottles, 12 dozen	0	2
Beef or pork, contained in any cask, per cwt.	0	1
Barrel boards or staves, per thousand	0	9
And all other staves in proportion.		
Butt staves, per hundred	1	0
Battens, Petersburg, per hundred	0	6
Boards or battens, close, per hundred	0	4½
Bricks, per thousand	0	4½
Bedsteads, each	0	2
Bolt of canvas, Nos. 1, 2, 3, each	0	0½
Ditto, every other	0	1
Butt, pipe or puncheon, entire or in staves, each	0	1
Bottles, empty, per dozen	0	1

	s.	d.
Bale, every box, truss, trunk, case, chest, bundle or parcel containing goods not enumerated in Schedule, per cubic foot - -	0	0½
Ditto, per cwt. - - - - -	0	1
Baskets, per dozen - - - - - -	0	6
Baskets or maunds containing goods not enumerated in Schedule, each	0	4
Beef or pork, per cwt. - - - - -	0	1
Butter, per cwt. - - - - - - -	0	1
Biscuit, per cwt. - - - - -	0	1½
Beans and peas, per cwt. - - - - -	0	1
Bottles, full, in hampers, per dozen - - - -	0	2
Bottles, new, per cwt. - - - - -	0	4
Brooms, hair, and mops, per dozen - - - -	0	0½
Bacon, per cwt. - - - - - - -	0	3
Beef, per cwt. - - - - - -	0	1
Cheese, per cwt. - - - - - - -	0	1½
Copper or brass, wrought or unwrought, per cwt. - - -	0	1
Cement, per cwt. - - - - - - -	0	2
Cordage, per cwt. - - - - -	0	1½
Carboys, each - - - - - - -	0	2
Coals, culm, splint, coke or cinders, per ton - - -	0	6
Deals, per load, containing fifty cubic feet - - - -	0	9
Dogs, each - - - - - - -	0	2
Earthenware, per cwt. - - - - - -	0	6
Fish, per cwt. - - - - - - -	0	1
Ditto, per ton - - - - - -	1	0
Flax seed, per quarter - - - - -	0	4
Fruit and vegetables, per bushel or cwt. - - - -	0	1
Flour, per sack of five bushels - - - -	0	1
Fowls, and every other sort of poultry, per cwt. - - -	0	4
Furniture, large, per article - - - -	0	3
Ditto, small, per article - - - - -	0	1
Glass ware, per cwt. - - - - -	0	3
Glass, window, per cwt. - - - - -	0	4
Girders, iron, per ton - - - - -	0	6
Grate or range, over two cwt., each - - - - -	0	6
Ditto, under two cwt., each - - - -	0	3
Gunpowder, per cwt. - - - - - -	1	0
Guano, per ton - - - - - - -	0	9
Garden stuff, per bushel - - - - - -	0	1
Hay, per ton - - - - - - -	0	6
Hops, per cwt. - - - - - - -	0	3
Hogshead packed with goods not enumerated in Schedule - -	0	6
Hoops, per cwt. - - - - - -	0	1
Hemp, per cwt. - - - - - - -	0	1
Iron, per cwt. - - - - - - -	0	1
Ditto, per ton - - - - - -	1	0
Laths, per thousand - - - - -	0	3

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	s.	d.
Lath wood, six-foot, per ton	0	6
Ditto, five-foot, per ton	0	4
Lead, per cwt.	0	1
Ditto, per ton	1	0
Lime, per load of twenty-eight bushels	0	1
Leather, per cwt.	0	4
Linen, per cwt.	0	6
Lumber and every other article not specified before in this Schedule, per foot cube	0	1
Ditto, per cwt.	0	1
Masts, ten inches in diameter or upwards, each	2	0
Ditto, under ten inches, each	0	9
Millstones, over a cwt., each	0	6
Ditto, under a cwt., each	0	4
Molasses, per cwt.	0	4
Mustard, per thirty pound barrel	0	1
Marble, per ton	1	0
Machinery, per ton	0	6
Machines, sewing, printing or working, each	1	0
Matches, in casks or cases, per cwt.	1	0
Nails, per cwt.	0	1
Oil, train or fish, per cwt.	0	4
Ditto, per gallon	0	1
Oak or elm planks, per load containing thirty cubic feet	0	6
Oysters, per bushel	0	1
Oilcake, per cwt.	0	3
Potatoes, per ton	0	9
Ditto, per sack of three bushels	0	1
Peas and rice, per sack of three bushels	0	1
Pitch and tar, per cwt.	0	2
Paper, per cwt.	0	6
Straw, per ton	0	6
Sugar, loaf, per cwt.	0	1
Ditto, raw, per cwt.	0	1
Salt, per cwt.	0	1
Spars, per score	0	3
Stone, per ton	1	0
Paving, per ton	1	0
Slate, per ton, containing twenty-four cubic feet	0	6
Soap, per cwt.	0	1
Starch, per cwt.	0	1
Soda, or soda ash, per ton	1	0
Staves, pipe, per hundred	0	1
Ditto, hogshead, per hundred	0	1
Ditto, barrel, per hundred	0	1
Ditto, ends, per hundred	0	1
Salt fish, per cwt.	0	1

	s.	d.
Spades and shovels, per dozen	0	2
Tea, per cwt.	0	2
Tar, per cwt.	0	2
Treacle, per cwt.	0	1
Timber, per load, containing fifty cubic feet	0	6
Tiles, plain, per thousand	0	3
Ditto, hip or gutter, per thousand	0	4
Ditto, ridge or pantiles, per thousand	0	6
Ditto, mathematical, per thousand	0	9
Ditto, paving, per thousand	0	3
Tin, per ton	0	2
Tallow, per cwt.	0	1
Trunk, portmanteau or bundle, each	0	1
Vats packed with goods not enumerated in Schedule, each per foot cube	0	1
Wine, sweet oil or spirits, for every gallon contained in any butt, pipe or puncheon or piece, or any cask whatsoever	0	1
Oil or spirits in bottles, per dozen pints	0	2
Ditto, per cwt.	0	6
Light goods not particularly enumerated, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures and quantities than those specified, a proportion of the respective rates shall be charged.

Rates for Use of Cranes, Weighing Machines and Sheds.

Cranage.

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
Exceeding 2 tons and not exceeding 3 tons	0	8
Exceeding 3 tons and not exceeding 4 tons	0	10
Exceeding 4 tons and not exceeding 5 tons	1	0
Exceeding 5 tons and not exceeding 6 tons	1	2
Exceeding 6 tons and not exceeding 7 tons	1	4
Exceeding 7 tons and not exceeding 8 tons	1	6
Exceeding 8 tons and not exceeding 9 tons	1	10
Exceeding 9 tons and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

Weighing.

For goods weighed, for each ton or part of a ton	0	2

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SHED DUES.

	£	s.	d.
For each ton of goods of 40 cubic feet or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.			
For any portmanteau, trunk, parcel or other articles of passengers' luggage, for each day or part of a day, per package - - -	0	0	2

PASSENGERS AND PROMENADERS.

For every passenger or other person who shall land at the pier from or embark from it to any steam vessel, ship, packet or passage boat or other sea-going vessel for each and every time any sum not exceeding - - - - -	0	0	6
For every person who shall land on the pier from or embark from it to any small boat or yacht not being sea-going vessels, for each and every time not exceeding - - - -	0	0	3
For every master of any vessel using the pier for the purpose of going to or returning from his own vessel boat or wherry, an annual sum not exceeding - - - - -	1	0	0
For every person who shall use the pier for the purpose of walking for exercise, pleasure or any other purpose except for embarking or disembarking, for each and every time any sum not exceeding	0	0	2
For every bath or sedan chair taken on the pier, including the person drawing it, for each and every time any sum not exceeding - - - - -	0	0	4
For every perambulator, including the person drawing it, for each and every time any sum not exceeding - - - - -	0	0	2

PASSENGERS' LUGGAGE.

For every trunk, portmanteau, box, parcel or other package within the description of luggage not exceeding 28 lbs. - -	0	0	2
Over 28 lbs. and not exceeding 84 lbs. - - -	0	0	4
Over 84 lbs. and not exceeding 112 lbs. - - -	0	0	5
Over 112 lbs. and not exceeding 140 lbs. - - -	0	0	6
Over 140 lbs. and not exceeding 196 lbs. - - -	0	0	7
Over 196 lbs. and not exceeding 2 cwt. - - -	0	0	8
And for every cwt. beyond - - - -	0	0	4
And for every 28 lbs. weight in addition - -	0	0	1

The SECOND SCHEDULE referred to in the foregoing Act.

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AN AGREEMENT made this twenty-ninth day of July, one thousand eight hundred and eighty-nine, between The Most Noble Henry Charles Fitzroy, Duke of Beaufort, K.G., of the one part, and Sir John Jones Jenkins, Knight, John Richardson Francis, Esq., Thomas Cory, Esq., and Edward Daniel, Esq., all of Swansea, in the county of Glamorgan (herein-after called "the Promoters") of the other part.

Whereas the Promoters are promoting a Bill now pending in Parliament, intituled "An Act for making a railway from the Oystermouth Railway or "Tramroad to the Mumbles Head, with a Pier in connection therewith; and "for other purposes," whereby it is proposed to incorporate a Company under the name of "the Mumbles Railway and Pier Company" (herein-after called "the Company"), and to authorise them to make and maintain the following works, viz.:—(1.) A railway, one mile two furlongs and two chains in length, commencing by a junction with the Oystermouth Railway or Tramroad, at a point ten and a half chains or thereabouts, measured along that railway in a northerly direction from the booking office at the Oystermouth terminal station thereon, and terminating at the point marked B on the duplicate signed plan referred to in the said proposed Act. (2.) A pier and pierhead with rails thereon, in connexion with the railway before described, commencing at a point on the intended railway at or near high-water mark on the shore of Swansea Bay two and a quarter chains or thereabouts north-westwards of the north-east corner of the Mumbles Life Boat House, thence proceeding in a north-easterly direction across the beach and foreshore and into Swansea Bay, and terminating in the bay at a point distant six hundred and twenty yards or thereabouts measured from the north-eastern corner of the said boat house: And whereas the said works will, if constructed, run through or over certain foreshore and lands belonging to the said Lord Duke: And whereas the said Lord Duke hath presented a petition to Parliament in opposition to the said proposed Act, but he hath agreed not further to oppose the passing of the same upon the said Promoters entering into the agreement herein-after contained: Now these Presents witness that in pursuance of the said agreement, and in consideration of the premises, the Promoters, on behalf of and with the intent to bind the Company, hereby covenant with the said Lord Duke, his heirs and assigns,

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and the said Lord Duke, for himself, his heirs and assigns, hereby covenants with the Promoters on behalf of the Company, their successors and assigns, as follows :—

1. If the sanction of Parliament shall be obtained in the present session of Parliament to the construction of the works herein-after mentioned or referred to, the Company, their successors or assigns, shall pay to the said Lord Duke, his heirs or assigns, as compensation for all such lands, foreshore and premises as shall or may be required for the purposes of the said proposed Act (exclusive of mines or minerals which are to be reserved to the said Lord Duke, his heirs or assigns, except such part thereof as shall be necessary to be dug or carried away or used in the construction of the works), in the same manner and with the like powers as would have been reserved in case the premises had been purchased compulsorily, and subject to all existing tenancies or tenant rights, rights of way and other easements, if any, affecting the same at and after the rate of one hundred and fifty pounds for each acre of such lands, foreshore and premises, and so in proportion for any less quantity than an acre, and the said Lord Duke will accept the same as full compensation and satisfaction for such lands, foreshore and premises, and for all damage, loss or inconvenience occasioned by severing the said lands, foreshore and premises from the said Lord Duke's other property, or otherwise injuriously affecting such other property in the exercise of the powers of the said proposed Act.

2. The said compensation shall be paid within twelve calendar months from the passing of the said proposed Act, and if from any cause whatever the same shall not then be paid, the Company shall pay to the said Lord Duke interest for the same at the rate of five pounds per cent. per annum from that date until payment.

3. The Company, their successors or assigns, shall not for the purpose of their said works take any portion of the promenade at Oystermouth village, or of the land now already proposed to be formed into a Promenade, without the consent in writing of the said Lord Duke first had and obtained.

4. If the Company, their successors or assigns, shall require to take and shall take for the purposes of their said works any part of the road numbered 28 on the deposited plans leading from the end of Oystermouth village aforesaid round the Mumbles Hill, they shall make and construct a new road in lieu of such part of the said road as may be so taken, in every respect to the reasonable satisfaction of the said Lord Duke, his heirs or assigns.

5. The Company, their successors or assigns shall, if required by the said Lord Duke, make and construct to the satisfaction of the said Lord Duke the several accommodation and other works mentioned and specified in the Schedule hereunder written.

6. The Promoters shall use their best endeavours to procure the insertion into their Act of the following clauses, viz. :—

"(A.) Provided always that, except as is by this Act expressly provided, "nothing in this Act shall extend or be construed to extend to affect, "prejudice, alter, diminish, abridge, or take away the royalty, right, or "property of the Duke of Beaufort, his heirs, successors, or assigns, in "and to any royalties, rights, property, duties, tolls, payments, powers,

" authorities, jurisdictions, privileges, liberties and franchises whatsoever " of, or belonging to, the said Duke, his heirs, assigns, or successors in " the seignories of Gower and Kilvey, as lord or lords thereof, and " otherwise, and of any future lord or ladies thereof, or as admiral or " admirals of the seas, bays, havens, creeks, ports and rivers within, " bordering on and surrounding the same, or of his or their officer or " officers in their respective duties within the same, but that the same " remain to him and them entire, wholly and altogether, as if this Act " had not passed ;

" (B.) A clause confirming this agreement, and subject to such alterations as " Parliament may think fit to make therein, making the same binding " upon the Company ;

" (C.) All such other clauses and amendments as shall be reasonably required " by the said Lord Duke, and as shall be necessary and approved by " Parliament for giving effect to this agreement."

7. The Promoters, or the said Company, shall pay all the costs, charges and expenses of the said Lord Duke, preliminary and of, about and incidental to his said petition, and in negotiating this agreement, and of, in, about and incidental to the preparation and execution of these presents and the duplicate thereof, and they shall also pay, or cause to be paid, all the costs, charges and expenses of the said Lord Duke and of all other necessary parties in and about and incidental to the deducing of and investigating and proving the title of the said Lord Duke to the said premises agreed to be sold and purchased as aforesaid, and the preparation, perusing, approving and attesting or otherwise relating to the deeds and documents for carrying out this agreement and the doing of all matters and things generally for giving effect to the same, whether in or out of Parliament, shall be borne and paid by the Promoters or the said Company, and this whether the said proposed Act shall be passed or not.

8. In consideration of the foregoing articles the said Lord Duke will not, directly or indirectly, further oppose the said proposed Act. In witness whereof the said parties to these presents have hereunto set their hand and seals the day and year first above written.

THE SCHEDULE ABOVE REFERRED TO.

1. A bridge under the railway at or near Southend Villas, in the village of Oystermouth, of the width of twelve feet at the least, so constructed as to enable carts to proceed from or to the Oyster Perches in Swansea Bay.

2. A bridge under the railway or level crossing in continuation of the roadway, marked No. 22 on the deposited plans, of the width of twelve feet at the least, and so constructed as to give access to the sea shore beyond the said railway.

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3. A bridge under the railway in continuation of the roadway marked No. 20 on the said plan, constructed in like manner to the above-mentioned bridges.

Signed, sealed and delivered by the above-named Henry Charles Fitzroy, Duke of Beaufort, in the presence of
C. W. J. Baker,
11, Sackville Street, W.

BEAUFORT. L.S.

Signed, sealed and delivered by the within-named Sir John Jones Jenkins and Edward Daniel, in the presence of
Nicholl Morgan, Solicitor,
Swansea

JOHN J. JENKINS. L.S.

EDWARD DANIEL. L.S.

Signed, sealed and delivered by the within-named John Richardson Francis, in the presence of
John Harris,
Clerk to Nicholl Morgan, Solicitor,
Swansea.

JNO. RN. FRANCIS. L.S.

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