ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

Cap. clxix.

An Act to authorize the Company of Proprietors of the *Monmouthshire* Canal Navigation to make a Railway from *Newport* to *Ponty Pool*; and to enlarge the Powers of the several Acts relating to the said Company. [31st *July* 1845.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, for making and maintaining a Navigable Cut or Canal from or from some Place near *Pontnewynydd* into the River *Usk* at or near the Town of *Newport*, and a collateral Cut or Canal from the same at or near a Place called *Cryndau* Farm to or near to *Crumlin Bridge*, all in the County of *Monmouth*, and for making and maintaining Railways or Stone Roads from such Cuts or Canals to several Iron Works and Mines in the Counties of *Monmouth* and *Brecknock*; and an Act was passed in the Thirty-seventh Year of the Reign of His said Majesty, for extending the *Monmouthshire* Canal Navigation, and for explaining and amending the said Act passed in the Thirty-second Year of the Reign of His then Majesty, for making the said Canal; and an Act was passed in the Forty-second Year of the Reign of His said Majesty, for making and maintaining certain Railways to communicate with the *Monmouthshire* Canal Navigation, and for enabling the Company of Proprietors of that Navigation to raise a further Sum of Money to complete their Undertaking, and for explaining and

amending the Acts passed in the Thirty-second and Thirty-seventh Years of His then Majesty's Reign relating thereto: And whereas the Company made and have since maintained the Canals in the First Act mentioned, and the Extension thereof in the Second Act mentioned, and the Railways or Tramroads in the First and Third Acts mentioned, and the Capital of the Company is Two hundred and forty thousand nine hundred Pounds, raised in Two thousand four hundred and nine Shares, and the Debts of the Company are Forty-one thousand eight hundred and thirty-seven Pounds, secured by Mortgages of the said Undertaking: And whereas the making of a Railway from *Newport* to *Ponty Pool*, with the Branches therefrom, which are herein-after mentioned, would be of great public Advantage, and the Company are willing to make and maintain the same if empowered so to do: And whereas it would also be of great public Advantage if the Company were empowered to improve their existing Railways, and to become Carriers of Passengers, Animals, and Goods along their Canals and Railways; and it is expedient to confer on the Company the Powers and Authorities herein contained, and to alter and amend the said recited Acts; but these Objects cannot be accomplished 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 the Acts of Parliament following, (that is to say,) the Lands Clauses Consolidation Act, 1845, and the Railway Clauses Consolidation Act, 1845, shall be incorporated with and form Part of this Act, subject nevertheless to such Modifications thereof as are herein contained, and be applicable to the Railway hereby authorized to be made, but shall not apply to the existing Canals, Railways, and Works of the Company, except so far as they are hereby expressly or by reference extended thereto.

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

Provisions of recited Acts (except as repealed) to extend to this Act.

II. And be it enacted, That all the Powers, Authorities, Regulations, Enactments, Restrictions, and all Exemptions, Rights, Privileges, Matters, and Things, contained in the said recited Acts of the Thirty-second, Thirty-seventh, and Forty-second Years of the Reign of King *George* the Third (save such Parts thereof respectively as are by this Act repealed, or expressly or by reference altered, or are inconsistent with the Provisions thereof), shall extend to and operate in respect of this Act, and the Objects and Purposes thereof.

Short Title.

III. And be it enacted, That in naming this Act in other Acts of Parliament, or written Instruments or legal Proceedings, it shall be sufficient to use the Expression "The *Newport* and *Ponty Pool* Railway Act, 1845."

Company may raise 119,100*l.* by Shares.

IV. And whereas the estimated Expence of making the said Railway is One hundred and nineteen thousand one hundred Pounds; be it enacted, That it shall be lawful for the Company, by the Order of a General Meeting, to raise by Contributions amongst themselves, or by the Admission of other Parties as Members of the Company, or partly by one and partly by the other of those Methods, in Shares of One hundred Pounds each, to be called Entire Shares, or in Shares of Twenty-five Pounds

Pounds each, to be called Quarter Shares, or partly in Entire Shares and partly in Quarter Shares, any further Sum of Money not exceeding One hundred and nineteen thousand one hundred Pounds.

Appropriation of Shares.

V. And be it enacted, That all Shares created under the Powers of this Act shall be issued at such Times, for such Prices, subject to such Conditions, and in such Manner, as the Company shall from Time to Time direct and appoint at some General Meeting specially convened to consider the Subject: Provided nevertheless, that in allotting such Shares a Preference shall be given to actual Shareholders desiring to become Holders thereof, each of whom shall be entitled to require that a Number of new Shares shall be allotted to him bearing the same Proportion to the Number of Shares previously held by him which the whole Number of new Shares created shall bear to the aggregate Number of Shares previously holden by Shareholders being Applicants for new Shares, or as near thereto as the new Shares can conveniently be allotted, so that no other fractional Part of a Share shall be issued than Quarter Shares.

Rights and Obligations in respect of new Shares to be the same with existing Shares.

VI. And be it enacted, That the new Shares shall be deemed Personal Estate, and be numbered in regular Progression, and registered in like Manner with the existing Shares, and each new Share shall always be distinguished by its appropriate Number, and shall confer upon the Holder thereof (save as is herein otherwise provided) the same Rights, and subject such Holder to the same Liabilities, and be transferrable and transmissible in the same Manner, as an existing Share.

Rights and Liabilities of Holders of Quarter Shares.

VII. And be it enacted, That no Shareholder shall be entitled to a Vote at any Meeting of the Company in respect of a less Number of Quarter Shares than Four, and that the Holder of Four Quarter Shares shall possess the same Right of calling and voting at Meetings as the Holder of One Entire Share; and each Quarter Share shall confer on the Holder thereof the Right to a Portion of the Dividends, Profits, and Advantages of the Company, and subject such Holder to a Portion of the Liabilities of the Company, equal in Amount to One Fourth Part of the Dividends, Profits, Advantages, and Liabilities of the Holder of an Entire Share; and the Holder of Twenty Quarter Shares shall be qualified to be chosen on the Committee.

Power to allow Interest on Payment of Subscriptions in advance.

VIII. And be it enacted, That the Company may receive from any Shareholder any Monies subscribed by him for Shares before the same shall become due; and upon the Monies so paid in advance the Company may pay Interest at such Rate, not exceeding Five Pounds *per Centum per Annum*, as such Shareholder and the Company shall agree upon.

Power to make Calls.

IX. And be it enacted, That the Company may make such Calls of Money upon the Holders of all Shares created under the Powers of this Act in respect of the Amount of Capital respectively subscribed or owing by them as they shall think fit, provided that no Call exceed Ten Pounds *per Centum* of the subscribed Capital, that Twenty-one Days Notice at the least be given of each Call, that Two Calls shall not be made within Two Calendar Months, and that the aggregate

Amount

Amount of Calls made in a Year shall not exceed Fifty Pounds *per Centum* of the subscribed Capital; and every Person shall be liable to pay the Amount of the Calls so made in respect of the Shares held by him to the Persons and at the Times and Places appointed by the Company.

Interest to be paid on Calls in arrear.

X. And be it enacted, That every Shareholder shall be liable to pay Interest at the Rate of Five Pounds *per Centum per Annum* on all Calls in arrear from the Day appointed for Payment to the actual Payment thereof.

Enforcement of Calls by Action.

XI. And be it enacted, That if at the Time appointed by the Company for the Payment of any Call any Person fail to pay the Amount thereof, the Company may recover the same, with Interest, by Action in any Court having competent Jurisdiction.

Declaration in Action for Calls.

XII. And be it enacted, That in any Action to be brought by the Company to recover any Money due for any Call it shall not be necessary to set forth the special Matter, but it shall be sufficient for the Company to declare that the Defendant is a Holder of One Share or more in the Company (stating the Number of Shares), and is indebted to the Company in the Sum of Money to which the Calls in arrear shall amount in respect of One Call or more upon One Share or more (stating the Number and Amount of each of such Calls), whereby an Action hath accrued to the Company by virtue of this Act.

Matter to be proved in Action for Calls.

XIII. And be it enacted, That on the Trial of such Action it shall be sufficient to prove that the Defendant, or, in case the Action be brought against an Executor or Administrator for a Call made in the Lifetime of his Testator or Intestate, that such Testator or Intestate, at the Time of making any such Call, was a Holder of One Share or more in the Undertaking, and that such Call was in fact made, and such Notice thereof given, as is directed by this Act; and thereupon the Company, without any further or other Proof, shall be entitled to recover what shall be due upon such Call, unless it shall appear that any such Call exceeds the prescribed Amount, or that the prescribed Interval between Two successive Calls had not elapsed, or that Calls amounting to more than the Sum prescribed for the total Amount of Calls in One Year had been made within that Period.

Proof of Proprietorship.

XIV. And be it enacted, That the Production of the Register of Shareholders shall be *primâ facie* Evidence that the Persons therein described to be Shareholders were so, and held the Number and Amount of Shares therein mentioned.

Forfeiture of Shares for Nonpayment of Calls.

XV. And be it enacted, That if any Person fail to pay any Call payable by him, the Committee may, after the Expiration of Two Months from the Day appointed for Payment of such Call, declare the Share in respect of which such Call is due forfeited, whether the Company have sued for the Amount of such Call or not.

Notice of Forfeiture to be given

XVI. And be it enacted, That before declaring any Share forfeited the Committee shall cause Notice of their Intention so to do to be left at or

or transmitted by the Post to the usual or last Place of Abode of the Person appearing by the Register of Shareholders to be the Holder of such Share; and if the Holder of any such Share be abroad, or if such Holder, or the usual or last Place of Abode of such Holder, be not known to the Committee, they shall give public Notice of such Intention in the *London Gazette*, and also in some Newspaper as after mentioned; and such Notices shall be given Twenty-one Days at least before the Committee shall make such Declaration of Forfeiture.

before Declaration thereof.

XVII. And be it enacted, That such Declaration of Forfeiture shall not authorize the Sale of any Share until confirmed at some General Meeting of the Company to be held after the Expiration of Two Months from the Day on which Notice of an Intention to declare such Share forfeited shall have been given, and after such Confirmation the Company may, by an Order of any General Meeting, direct the Share so forfeited to be sold.

Forfeiture to be confirmed by a General Meeting.

XVIII. And be it enacted, That it shall be lawful for the Committee to sell the forfeited Share either by public Auction or private Contract, and if there be more than One, either separately or together, and any Shareholder may purchase any Share so sold.

Sale of forfeited Shares.

XIX. And be it enacted, That a Declaration in Writing by some credible Person not interested in the Matter, made before any Justice or before any Master or Master Extraordinary of the High Court of Chancery, that a Call in respect of a Share was made and Notice thereof given, and that Default in Payment of the Call was made, and that the Forfeiture of the Share was declared and confirmed in manner hereinbefore required, shall be sufficient Evidence of the Facts therein stated; and such Declaration, and the Receipt of the Treasurer of the Company for the Price of such Share, shall constitute a good Title to such Share; and a Certificate of Ownership shall be delivered to the Purchaser, and he shall hold such Share discharged from all Calls due prior to such Purchase, and he shall not be bound to see to the Application of the Purchase Money, nor shall his Title to such Share be affected by any Irregularity in such Sale, or in the Proceedings preliminary thereto.

Evidence as to Forfeiture of Shares.

XX. And be it enacted, That the Company shall not sell more of the Shares of any Defaulter than will be sufficient, as nearly as can be ascertained at the Time of Sale, to pay the Arrears then due from such Defaulter on account of Calls, together with Interest, and the Expences attending such Sale and Declaration of Forfeiture, and of any Action brought to recover such Calls; and if the Money produced by the Sale of such Shares be more than sufficient to pay all Calls, and Interest thereon due at the Time of such Sale, and the said Expences, the Surplus shall, on demand, be paid to the Defaulter.

No more Shares to be sold than sufficient for Payment of Calls.

XXI. And be it enacted, That if Payment of such Calls, and Interest and Expences, be made before any Share so forfeited shall have been sold, such Share shall revert to the Party to whom the same belonged, who shall thenceforth be entitled thereto in the same Manner as if such Calls had been duly paid.

On Payment of Calls before Sale forfeited Shares to revert.

Where there are joint Holders the first registered Shareholder to vote.

XXII. And be it enacted, That if several Persons be jointly entitled to a Share the Person whose Name stands first in the Register of Shareholders as one of the Holders of such Share shall for the Purpose of voting at any Meeting be deemed the sole Holder thereof; and on all Occasions the Vote of such first-named Shareholder, either in Person or by Proxy, shall be allowed as the Vote in respect of such Share, without Proof of the Concurrence of the other Holders; and that whenever Notice is required to be served on Shareholders by the Company such Service in the Case of joint Shareholders shall be made on the one whose Name shall stand first in the Register, and such Service shall be sufficient Notice to all Persons jointly interested with him.

If such Shareholder absent from Meeting any other joint Proprietor with him may vote.

XXIII. And be it enacted, That in the Absence from any Meeting of such first-named Shareholder any other Person registered with him as a joint Owner of such Share, and present at such Meeting, may vote in respect thereof, without being empowered so to do by the Proxy of the first registered Shareholder; and that in case more than One such joint Owner as last named shall be present the first named of those present shall alone have a Right to vote.

Form of Proxy.

XXIV. And be it enacted, That the Proxy of an absent Shareholder may be given in the Form contained in Schedule (E.) to this Act annexed, or to the like Effect.

Company not bound to regard Trusts.

XXV. And be it enacted, That the Company shall not be bound to see to the Execution of any Trust to which any Share may be subject, and the Receipt of the Party in whose Name any Share shall stand in the Books of the Company shall from Time to Time be a sufficient Discharge to the Company for any Dividend or other Sum of Money payable in respect of such Share, notwithstanding any Trust to which such Share may then be subject, and whether or not the Company have had Notice of such Trust.

Company may borrow 120,000*l.*, present Debts included;

or may raise such additional Sum by Shares.

XXVI. And be it enacted, That it shall be lawful for the Company, by Order of a General Meeting, to borrow on Mortgage or Bond, or partly by one Mode and partly by the other, any Sums of Money not exceeding in the whole (including the present Mortgage Debts of the Company) One hundred and twenty thousand Pounds, and for securing the Repayment of such Monies, with Interest, to give such Mortgages or Bonds as herein-after is mentioned; or the Company, by the Order of a General Meeting, may raise the said Sum of One hundred and twenty thousand Pounds, or any Part thereof, by creating new Shares instead of borrowing, and also by creating new Shares may pay off any Part of the said Sum by them heretofore or hereafter borrowed, and the Shares to be so created may be either Entire Shares or Quarter Shares, or both the one and the other.

Forms of Mortgages and Bonds.

XXVII. And be it enacted, That every Mortgage and Bond for securing Money hereafter borrowed by the Company shall be by Deed under the Common Seal of the Company, duly stamped, wherein the Consideration shall be truly stated; and every such Mortgage and Bond respectively

respectively may be according to the Form or to the Effect in the Schedules (A.) and (B.) to this Act annexed.

Mortgages and Bonds may be transferred.

XXVIII. And be it enacted, That from Time to Time any Party entitled to any Mortgage or Bond may transfer the same to any other Person; and every Transfer shall be by Deed duly stamped, wherein the Consideration shall be truly stated; and every Transfer may be according to the Form or to the Effect in the Schedule (C.) to this Act annexed; but a Transfer of any existing Mortgage by the Holder thereof shall be valid if made according to the Provisions of the former Acts or of this Act.

Register of Mortgages and Bonds.

XXIX. And be it enacted, That a Register of Mortgages and Bonds shall be kept by the Clerk, and within Fourteen Days after the Date of any Mortgage or Bond an Entry specifying the Number and Date of such Mortgage or Bond, and the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any of the Shareholders, or by any Mortgage or Bond Creditor of the Company, without Fee or Reward.

Transfers of Mortgages and Bonds to be registered.

XXX. And be it enacted, That within Thirty Days after the Date of every Transfer of any Mortgage or Bond, if executed within the United Kingdom, or otherwise within Thirty Days after the Arrival thereof in the United Kingdom, such Transfer shall be produced to the Clerk, and thereupon the Clerk shall cause an Entry thereof to be made in the said Register, and after such Entry every such Transfer shall entitle the Transferee to the full Benefit of the original Mortgage or Bond; and no Party having made such Transfer shall have Power to make void or discharge the Mortgage or Bond so transferred; and for such Entry the Company may demand a Sum not exceeding Two Shillings and Sixpence, and until such Entry the Company shall not be responsible to the Transferee.

Register Book of Transfer of Shares, Mortgages, and Bonds may be closed at certain Times.

XXXI. And be it enacted, That the Committee may close the Register Book of Transfers of Shares, and of Mortgages and Bonds, for a Period not exceeding Five Days previous to each Ordinary Meeting; and in case they shall so close such Books, Seven Days Notice of the Period of closing the same shall be given by Advertisement in a Newspaper; and any Transfer of a Share or Mortgage or Bond delivered to the Clerk during the Time when such Transfer Books are closed shall, as between the Company and the Person claiming under the same, but not otherwise, be deemed to have been so delivered subsequently to the Ordinary Meeting next following.

Power to reborrow.

XXXII. And be it enacted, That if, after having borrowed any Money hereby authorized to be borrowed, the Company shall pay off the same, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time, but such Power of reborrowing shall not be exercised without the Authority of a General Meeting of the Company, unless the Money be reborrowed to pay off any existing Mortgage or Bond.

XXXIII. And

Rights of Mortgagees.

XXXIII. And be it enacted, That the respective Mortgagees shall be entitled one with another to their respective Proportions of the Tolls and Premises comprised in such Mortgages according to the respective Sums in such Mortgages mentioned to be advanced by such Mortgagees respectively, and to be repaid the Sums so advanced, with Interest, without any Preference by reason of the Priority of the Date of any Mortgage or otherwise.

Rights of Bond-holders.

XXXIV. And be it enacted, That the respective Bond Creditors shall, in proportion to the Amount of the Monies secured to them, be entitled to be paid out of the Tolls, Property, and Effects of the Company the respective Sums in such Bonds mentioned, and thereby secured, without any Preference one above another by reason of Priority of Date of any such Bond or otherwise.

Payment of Interest on Monies borrowed.

XXXV. And be it enacted, That the Interest of the Money borrowed upon any such Mortgage or Bond shall be paid at the Periods appointed in such Mortgage or Bond, and if no Period be appointed then half-yearly, to the Parties entitled thereto, in preference to any Dividends payable to the Shareholders.

Transfers of Interest to be stamped.

XXXVI. And be it enacted, That the Interest on any such Mortgage or Bond shall not be transferable, except by Deed duly stamped.

Repayment of Money borrowed at a Time fixed.

XXXVII. And be it enacted, That the Company may, if they think proper, fix a Period for the Repayment of any Principal Money borrowed, and cause the same to be inserted in the Mortgage or Bond; and at the Expiration of such Period the Principal Sum, with any Interest due thereon, shall be paid to the Party entitled to such Mortgage or Bond.

Repayment of Money borrowed where no Time fixed.

XXXVIII. And be it enacted, That if no Time be fixed in the Mortgage or Bond for the Repayment of the Money borrowed, the Party entitled to the Mortgage or Bond may, at or after the Expiration of Twelve Months from the Date of such Mortgage or Bond, demand Payment of the Principal Money upon giving Six Months previous Notice; and in the like event the Company may pay off the Money borrowed on giving the like Notice; and every such Notice shall be in Writing, and if given by a Mortgagee or Bond Creditor shall be delivered to the Clerk, or left at the Principal Office of the Company, and if given by the Company shall be given personally to or left at the Residence of such Mortgagee or Bond Creditor, or if such Residence be unknown to the Committee, and cannot be found by them after diligent Inquiry, such Notice shall be given by Advertisement in the *London Gazette*, and in some Newspaper as after mentioned.

Interest to cease on Expiration of Notice to pay off Mortgage or Bond.

XXXIX. And be it enacted, That if the Company shall have given Notice of their Intention to pay off any such Mortgage or Bond at a Time when the same may lawfully be paid off by them, then at the Expiration of such Notice all further Interest shall cease to be payable, unless, on demand of Payment made pursuant to such Notice, the Company shall fail to pay the Principal and Interest due on such Mortgage or Bond.

XL. And

Application of Capital.

XL. And be it enacted, That all the Money raised by the Company, whether by Subscriptions or by Loan, shall be applied, first, in paying the Costs and Expences incurred in obtaining this Act, and all Expences incident thereto, and afterwards in carrying the Purposes of the Company into execution.

Half-yearly Meetings to be holden.

XLI. And be it enacted, That from and after the passing of this Act half-yearly Meetings of the Company shall be holden on the Third *Wednesday* in the Month of *May*, and the Third *Wednesday* in the Month of *November*, in every Year, at Twelve of the Clock at Noon, at the Canal Office in the Town of *Newport*, or at such other Hour and Place as shall have been appointed for holding any such Meeting at the next preceding half-yearly Meeting.

Committee may be chosen at Meetings at which One Fourth of Shareholders are present.

XLII. And whereas Inconvenience has been experienced by reason of the Provision in the said recited Act of the Forty-second Year of the Reign of His Majesty *George* the Third, which requires that at every Meeting for the Choice of a Committee so many Proprietors shall be present as shall be entitled to vote for or in respect of One Half of the whole Number of Shares in the said Navigation, and it is expedient to make other Provisions in lieu thereof; be it therefore enacted, That, notwithstanding any thing in any of the said recited Acts contained, the Committee of Management of the Company shall be chosen at the First Ordinary Meeting of the Company to be holden in each Year, and it shall be lawful to proceed to such Election if there shall be present thereat, either in Person or by Proxy, so many Shareholders as shall be entitled to One Fourth Part of the whole Capital in the said Undertaking; and in case such Number be not present within One Hour from the Time appointed for the Meeting, the existing Committee shall retain their Powers and continue to act until the Ordinary Meeting first holden in the Year next following, and until another Committee shall be lawfully chosen.

Committee may appoint Sub-Committees.

XLIII. And be it enacted, That the Committee may appoint One or more Sub-Committees consisting of such Number of their own Body as they may think fit, and may grant to such Sub-Committees respectively Power on behalf of the Company to do any Acts relating to the Affairs of the Company which the Committee can do and shall think proper to intrust to a Sub-Committee.

Meetings of Sub-Committees.

XLIV. And be it enacted, That such Sub-Committees may meet from Time to Time, and may adjourn from Place to Place, for carrying into effect the Purposes of their Appointment; and no such Sub-Committee shall exercise the Powers intrusted to them except at a Meeting at which there shall be present a Quorum to be fixed for that Purpose by the Committee; and at all Meetings of the Sub-Committees One of the Members present shall be appointed Chairman, and all Questions at any Meeting of the Sub-Committee shall be determined by a Majority of the Members present, and in case of an equal Division of Votes the Chairman shall have a casting Vote, in addition to his own Vote as a Member of the Sub-Committee.

How Contracts shall be made on behalf of the Company.

XLV. And be it enacted, That the Power of the Committee to make, vary, or discharge Contracts, as well as the Power of the Sub-Committee so to do under any Authority confided to them for that Purpose by the Committee, may lawfully be exercised as follows; (that is to say,)

Any Contract which if made between private Persons would be required to be by Deed, may be made, varied, or discharged on behalf of the Company by the Committee or Sub-Committee by Deed under the Common Seal of the Company:

Any Contract which if made between private Persons would be required to be in Writing, and signed by the Parties to be charged therewith, may be made, varied, or discharged on behalf of the Company by the Committee or Sub-Committee by some Writing signed by the Committee or Sub-Committee or any Two of them, or by the Chief Clerk of the Company by the Direction of such Committee or Sub-Committee:

Any Contract which if made between private Persons would by Law be valid, although not reduced into Writing, may be made, varied, or discharged by the Committee or Sub-Committee on behalf of the Company without Writing:

And all Contracts so made shall be binding on the Company, and upon all Parties thereby contracting with them, or with the Committee or a Sub-Committee.

Appointments, Contracts, and Proceedings of Company and Committees to be recorded.

XLVI. And be it enacted, That the Committee shall cause Minutes or Copies, as the Case may require, of all Appointments made or Contracts entered into by the Committee or any Sub-Committee, and of the Orders and Proceedings of all Meetings of the Company and of the Committee and Sub-Committees, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendence of the Committee; and the Chairman of the Meeting at which such Entries shall be made shall verify the same by signing his Name thereto; and every such Entry so verified shall be received in Evidence without Proof that the Meeting at which the Entry purports to have been made was duly convened or holden, or that the Persons attending the same were Shareholders or Committee-men or Sub-Committee-men respectively, or that the Person verifying the Entry by his Signature was Chairman of the Meeting, all of which Matters shall be presumed, unless the contrary be proved.

Acts of Committee not to be invalid by reason of Informality in Appointment.

XLVII. And be it enacted, That all Acts done by any Meeting of the Committee or of a Sub-Committee, or by any Person acting as a Committee-man, shall, notwithstanding it may be afterwards discovered that there was some Defect or Error in the Appointment of any Person attending such Meeting as a Committee-man, or acting as aforesaid, or that such Person was disqualified, be as valid as if such Person had been duly appointed and was qualified to be a Committee-man.

Indemnity to Committees.

XLVIII. And be it enacted, That no Committee-man, by being Party to, or making, signing, or executing in his Capacity of Committee-man, any Contract or other Instrument on behalf and in the Name of the Company, or lawfully executing any of the Powers given to the Committee,

Committee, shall be subject to be sued or prosecuted by any Person whomsoever; and the Bodies, Goods, and Lands of the Committee-men shall not be liable to Execution by reason of any lawful Act done by them or any of them; and the Committee-men shall be indemnified out of the Capital of the Company for all Payments, Losses, Costs, and Damages which they may incur by reason of any Acts done by them on behalf of the Company, and may apply the existing Funds and Capital of the Company for the Purposes of such Indemnity.

Remuneration to Committee.

XLIX. And be it enacted, That the Company shall fix the Remuneration to be from Time to Time made to the Committee, and such Remuneration shall be defrayed by the Company.

Accounts to be kept of all Monies received and expended.

L. And be it enacted, That full and accurate Accounts shall be kept of all Monies of the Company received and expended by the Committee and all other Persons, and of the Matters and Things for which such Monies shall have been received or expended.

Company's Books to be balanced half-yearly, and Balance Sheet prepared.

LI. And be it enacted, That the Books of the Company shall be balanced Fourteen Days at least before each Ordinary Meeting, and forthwith on the Books being so balanced an exact Balance Sheet shall be made up, which shall exhibit a true Statement of the Capital, Stock, Credits, and Property of every Description belonging to the Company, and the Debts due by the Company at the Date of making such Balance Sheet, and a distinct View of the Profit or Loss which shall have arisen on the Transactions of the Company in the course of the preceding Half Year; and previously to each Ordinary Meeting such Balance Sheet shall be examined by the Committee or any Three of their Number, and shall be signed by the Chairman.

Balance Sheet to be produced at Ordinary Meetings.

LII. And be it enacted, That at each Ordinary Meeting the Committee shall produce to the Shareholders assembled such Balance Sheet as aforesaid applicable to the Period immediately preceding such Meeting.

Accounts to be entered in Books, and to be open for Inspection.

LIII. And be it enacted, That a Book-keeper to be appointed by the Committee shall enter the Accounts aforesaid in Books to be provided for the Purpose, and shall permit any Shareholder or Loan Creditor to inspect such Books and Balance Sheet at any reasonable Time during One Fortnight before and One Month after every Ordinary Meeting; and if he refuse to permit any such Shareholder or Loan Creditor to inspect such Books or Balance Sheet, or take Copies or Extracts therefrom, during the Periods aforesaid, he shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Scheme to be laid by Committee before Ordinary Meetings.

LIV. And be it enacted, That previously to every Ordinary Meeting at which a Dividend is intended to be declared the Committee shall cause a Scheme to be prepared, showing the Profits, if any, of the Company since the preceding Ordinary Meeting at which a Dividend was declared, and apportioning the same, or so much thereof as they may consider applicable to the Purposes of a Dividend, among the Shareholders,

Shareholders, and shall exhibit such Scheme at such Ordinary Meeting, and at such Meeting a Dividend may be declared.

Capital not to be reduced by Dividend.

LV. And be it enacted, That the Company shall not make any Dividend whereby their Capital Stock will be reduced.

Fund may be reserved to meet Contingencies.

LVI. And be it enacted, That before apportioning the Profits to be divided among the Shareholders the Committee may set aside thereout such Sum as they may think proper to meet Contingencies, or for enlarging, repairing, or improving the Works connected with the Undertaking, or any Part thereof, and may divide the Balance only among the Shareholders.

Dividends not payable on new Shares until Price paid, but Interest may be allowed in the meantime.

LVII. And be it enacted, That no Holder of any new Share shall be entitled to any Dividend which shall be declared before the Expiration of Half a Year after he shall have paid the whole of the Price thereof, but that in the meantime, and until Dividends shall begin to accrue on such Share, it shall be lawful for the Company to pay to the Holder of each such Share Interest on so much Money as for the Time being shall have been paid in respect thereof, to be computed from the Time of paying such Money, at such Rate, not exceeding Five Pounds *per Centum per Annum*, as may be fixed by the Company at the Time of the Issue of the said Share, and be agreed to by the Holder thereof.

Calls to be paid on all new Shares before Dividend paid.

LVIII. And be it enacted, That no Dividend shall be paid in respect of any new Share until all Calls then due in respect of that and every other Share held by the Person to whom such Dividend may be payable shall have been paid.

Security to be taken from Officers intrusted with Money.

LIX. And be it enacted, That before any Person intrusted with the Collection, Custody, or Control of Monies, whether Treasurer, Collector, or other Officer of the Company, shall enter upon his Office, the Committee shall take a sufficient Security from him for the faithful Execution of his Office.

Officers to account on demand.

LX. And be it enacted, That every Officer employed by the Company shall, when required by the Committee, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Company; and such Account shall state how, and to whom, and for what Purpose such Monies shall have been disposed of; and, together with such Account, such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Committee, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Summary Remedy against Officers failing to account.

LXI. And be it enacted, That if any Officer fail to render such Account, or to deliver up all the Vouchers and Receipts relating to the same in his Possession or Power, or to pay the Balance thereof, when required, or if for Three Days after being thereunto required he fail to deliver up to the Committee, or to any Person appointed by them

them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, belonging to the Company, then on Complaint thereof being made to a Justice he shall summon such Officer to appear before Two or more Justices, at a Time and Place to be set forth in such Summons, to answer such Charge; and upon the Appearance of such Officer, or in his Absence upon Proof that such Summons was personally served upon him, or left at his last known Place of Abode, such Justices may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear that any Monies of the Company are in the Hands of such Officer, or owing by him to the Company, such Justices may order such Officer to pay the same, and if he fail to pay the Amount it shall be lawful for such Justices to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months.

Officers refusing to deliver up Documents or Property of Company to be imprisoned.

LXII. And be it enacted, That if any Officer refuse or fail to make out such Account in Writing, or to deliver to the Justices the several Vouchers and Receipts relating thereto, or to deliver up any Books, Papers, Writings, Property, Effects, Matters, or Things, in his Possession or Power, belonging to the Company, such Justices may commit such Officer to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody without Bail until he have made out in Writing and delivered such Accounts, and delivered up such Vouchers and Receipts, Books, Papers, Writings, Property, Effects, Matters, and Things, in his Possession or Power.

Where Officer is about to abscond he may be apprehended in the first instance.

LXIII. And be it enacted, That if any Person acting on behalf of the Company shall make Oath that he has good reason to believe, upon Grounds to be stated in his Deposition, and does believe, that it is the Intention of any such Officer to abscond, it shall be lawful for any Justice before whom Complaint is made, instead of issuing his Summons, to issue his Warrant for bringing such Officer before Two Justices as aforesaid; but no Person in executing such Warrant shall keep such Officer in Custody longer than Twenty-four Hours without taking him before Two Justices to answer to the Charge.

Sureties not to be discharged.

LXIV. And be it enacted, That such Proceeding against any Officer shall not deprive the Company of any Remedy which they might otherwise have against such Officer, or any Surety of such Officer.

Power to make Bye Laws for the Government of Officers of the Company.

LXV. And be it enacted, That it shall be lawful for the Company from Time to Time to make such Bye Laws as they think fit for the Purpose of regulating the Conduct of the Officers of the Company, and for providing for the due Management of the Affairs of the Company in all respects whatsoever, and from Time to Time to alter or repeal any such Bye Laws and make others, provided such Bye Laws be not repugnant to the Laws of *England* or to the Provisions of this Act; and such Bye Laws shall be reduced into Writing, and shall have affixed thereto the Common Seal of the Company, and a Copy of such Bye Laws shall be given to every Officer of the Company affected thereby.

Fines for Breach of such Bye Laws.

LXVI. And be it enacted, That the Company may by such Bye Laws impose such reasonable Penalties upon all Persons being Officers of the Company offending against the same as they may think fit, not exceeding Five Pounds for any One Offence.

Bye Laws to be so framed as that Penalties may be mitigated.

LXVII. And be it enacted, That all the Bye Laws to be made by the Company shall be so framed as to allow the Justices before whom any Penalty imposed thereby may be sought to be recovered to mitigate such Penalty if such Justices shall think fit.

Evidence of Bye Laws.

LXVIII. And be it enacted, That the Production of a written or printed Copy of the Bye Laws of the Company, having the Common Seal of the Company affixed thereto, shall be sufficient Evidence of such Bye Laws in all Courts and before all Persons.

Service of Notices upon Company.

LXIX. And be it enacted, That any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Company, may be served by being left at the principal Office of the Company, or being given personally to the Clerk.

Service by Company on Share-holders.

LXX. And be it enacted, That, unless any Notice from the Company to the Shareholders be expressly required to be served personally, it shall be sufficient to transmit the same by Post, directed according to the registered or other known Address of the Shareholder, within such Period as to admit of its being delivered in the due Course of Delivery within the Period (if any) prescribed for the giving of such Notice; and in proving such Service it shall be sufficient to prove that such Notice was properly directed, and that it was so put into the Post Office.

Notices by Advertise-ment.

LXXI. And be it enacted, That all Notices required by this Act or the said recited Acts to be given by Advertisement shall be inserted in a Newspaper circulating in the County of *Monmouth*.

Authentica-tion of Notices.

LXXII. And be it enacted, That any Summons, Demand, Notice, or other such Document required or authorized to be given by the Company may be signed by the Clerk in the Name and on behalf of the Company, and need not be under the Common Seal.

Proof of Debts in Bankruptcy.

LXXIII. And be it enacted, That if any Person against whom the Company shall have any Claim or Demand become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Clerk or Treasurer of the Company in all Proceedings against the Estate of such Bankrupt or Insolvent to represent the Company, and act in their Behalf in all respects as if such Claim or Demand had been the Claim or Demand of such Clerk or Treasurer, and not of the Company.

Amends may be tendered, and Money paid into Court.

LXXIV. And with respect to Actions brought in respect of any Proceeding under the Provisions of this Act or the said recited Acts, be it enacted, That if before Action brought any Party having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act or the recited Acts, or by virtue of any

Power

Power or Authority thereof, make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Defendant, by Leave of the Court in which such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Damages may be ascertained by Two Justices;

LXXV. And be it enacted, That in all Cases where any Expences, Damages, or Charges are by this Act or the recited Acts directed or authorized to be paid, and no Method of ascertaining the Amount thereof is provided, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by Two Justices; and when any Damages or Charges are directed to be paid in addition to the Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute concerning the same, shall be determined by the Justices by whom the Offender shall be convicted of such Offence; and on Nonpayment, on demand, of the Damages or Charges in any of the Cases aforesaid, when so determined, the same shall be levied by Distress, and such Justices or either of them shall issue a Warrant accordingly.

and if no Goods of Company can be found to levy Damages payable by them, Distress to be made on Goods of Treasurer.

LXXVI. And be it enacted, That if sufficient Goods of the Company cannot be found whereon to levy any such Sum of Money when payable by them, the same may be recovered by Distress of the Goods of the Treasurer of the Company, and either of the Justices aforesaid, or any other Justice, on Application, shall issue his Warrant accordingly; but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, have been given to such Treasurer, or left at his Residence; and if such Treasurer pay any Money under such Distress as aforesaid he may retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Company coming into his Custody or Control, or he may sue the Company for the same.

Justices may summon Parties before them in order to the Recovery of Damages.

LXXVII. And be it enacted, That where in this Act or the recited Acts any Question of Compensation, Expences, Charges, or Damages is referred to the Determination of Justices, it shall be lawful for any Justice, upon the Application of either Party, to summon the other Party to appear before Two Justices at a Time and Place to be named in such Summons, and to examine the Parties to such Question, and their Witnesses, on Oath; and the Costs of every such Inquiry shall be in the Discretion of such Justices; and if either Party fail to appear, after due Service of the Summons in manner hereinafter provided, it shall be lawful for such Justice to proceed *ex parte*.

Publication to be made of all Offences for which

LXXVIII. And be it enacted, That from Time to Time the Company shall publish the short Particulars of the several Offences for which any Penalty is imposed by this or the said Acts, or any Bye Law of the Company affecting other Persons than the Shareholders, Officers, or

Penalties may be recovered.

or Servants of the Company, and of the Amount of every such Penalty, and shall cause such Particulars to be painted or pasted on a Board to be hung up or affixed on some conspicuous Part of the principal Place of Business of the Company, and where any such Penalties are of local Application shall cause such Boards to be affixed in some conspicuous Place in the immediate Neighbourhood to which such Penalties are applicable or have reference; and such Particulars shall be renewed as often as the same or any Part thereof are obliterated or destroyed; and no such Penalty shall be recoverable unless it shall have been published and kept published in the Manner herein-before required.

Penalty for defacing Notices.

LXXIX. And be it enacted, That if any Person pull down or break or deface any such Board put up or affixed as required by this Act for the Purpose of publishing any Bye Law or Penalty, or shall obliterate any of the Letters or Figures thereon, he shall forfeit for every such Offence a Sum not exceeding Five Pounds, and he shall also defray the Expences attending the Restoration of such Board.

Penalties recoverable before Justices.

LXXX. And be it enacted, That every Penalty imposed by this or the said Acts or any of them, or any Bye Laws made pursuant thereto, the Recovery whereof is not otherwise provided for, may be recovered by summary Proceedings before Two Justices; and upon Complaint made before any Justice he shall issue a Summons requiring the Party complained against to appear before Two Justices on a Day and at a Time and Place to be named in such Summons; and every Summons of a Justice under this Act shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance, or, after due Proof of the Service of such Summons, upon the Default to appear of the Party offending, it shall be lawful for any Two Justices to proceed to the hearing of the Complaint (whether any Information in Writing shall have been exhibited before them or not), and upon Proof of the Offence to convict the Offender, and adjudge him to pay the Penalty incurred, as well as such Costs attending the Conviction as such Justices shall think fit.

Distress may be made if Penalties unpaid.

LXXXI. And be it enacted, That if upon such Adjudication as aforesaid the Penalty and Costs be not paid, the Amount thereof, and the Costs of the Distress, shall be levied by Distress, and such Justices or either of them shall issue a Warrant of Distress accordingly.

Distress may be sold;

LXXXII. And be it enacted, That where in this Act or the said Acts any Sum of Money, whether in the Nature of a Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be paid, on demand, to the Party whose Goods shall have been distrained.

not to be unlawful for

LXXXIII. And be it enacted, That no Distress levied by virtue of this Act or the said Acts shall be deemed unlawful, nor shall any Party making

making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Want of Form, nor vitiated by Irregularity.

LXXXIV. And be it enacted, That it shall be lawful for any such Justice to order any Offender so convicted to be detained in safe Custody until Return can be conveniently made to the Warrant of Distress for levying such Penalty and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of such Justice, for his Appearance before him on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Distress it shall appear to the Justice that no sufficient Distress can be had within the Jurisdiction of such Justice whereon to levy such Penalty and Costs, he may, if he think fit, refrain from issuing such Warrant of Distress, and in such Case, or if such Warrant shall have been issued, and upon the Return thereof it shall be made to appear to the Justice that no sufficient Distress could be had, then such Justice shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty and Costs be sooner paid and satisfied.

If no Distress can be made, the Offender may be imprisoned.

LXXXV. And with respect to the Application of any Penalties recovered by virtue of this Act, the Application whereof is not herein or by the said Acts otherwise provided for, be it enacted, That the Justices by whom any such Penalty shall be imposed may award not more than One Half thereof to the Informer, and shall award the Remainder to the Overseers of the Poor of the Parish in which the Offence shall have been committed, to be applied in aid of the Poor's Rate of such Parish, or if the Place wherein the Offence shall have been committed shall be extra-parochial, then such Justices shall order such Remainder to be applied for the Aid of the Rate for the Relief of the Poor of such extra-parochial Place, or of some adjoining Parish or District, and to be paid over to the proper Officer for that Purpose.

Application of Penalties.

LXXXVI. And be it enacted, That no Person shall be liable to the Payment of any Penalty imposed by virtue of this Act or the recited Acts for any Offence cognizable before Justices, unless upon Complaint made before some Justice within Six Months next after the Commission of such Offence.

No Penalty recoverable after Six Months from Commission of Offence.

LXXXVII. And be it enacted, That if, through any Act, Neglect, or Default on account whereof any Person shall have incurred some Penalty imposed by or under this Act or the said Acts, any Damage to the Property of the Company shall have been committed by such Person, he shall be liable not only to pay the Penalty, but also to make good such Damage.

Damages as well as Penalty recoverable in certain Cases.

Justices may summon Witnesses.

LXXXVIII. And be it enacted, That it shall be lawful for any Justice to summon any Person to appear before him as a Witness in any Matter in which such Justice shall have Jurisdiction under the Provisions of this Act or the said recited Acts, at any Time or Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person who shall be summoned as a Witness before any Justice touching any Offence committed against this Act or the said Acts, or any Matter in which such Justice shall have Jurisdiction by the Provisions of this or the said Acts, shall without reasonable Excuse refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath, or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Unknown Offenders may be apprehended without Warrant.

LXXXIX. And be it enacted, That any Officer of the Company, and any Person called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act or the said Acts, and whose Name and Residence shall be unknown to such Officer, and convey him with all convenient Diligence before some Justice, without any Warrant or other Authority than this Act, and such Justice may in such Case alone hear and determine the Complaint against such Offender.

Form of Conviction.

XC. And be it enacted, That the Justice before whom any Person shall be convicted of any Offence against this Act or the said Acts may cause the Conviction to be drawn up according to the Form in the Schedule (D.) to this Act annexed.

Proceedings not to be quashed for Informality, &c.

XCI. And be it enacted, That no Proceeding in pursuance of this Act or the said Acts shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Appeal to Quarter Sessions.

XCII. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice, under the Provisions of this Act or the said Acts, he may appeal to the General Quarter Sessions for the County or Place in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, nor unless the Appellant forthwith after such Notice enter into Recognizance, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Sessions may mitigate Penalty, or quash or confirm Adjudica-

XCIII. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court may proceed to hear and determine the Appeal, or may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may mitigate any Penalty or Forfeiture, or confirm or quash the Adjudication,

judication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may order such further Satisfaction to be made to the Party injured, and make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable. tion of Justices.

XCIV. And whereas Plans and Sections of the Railway showing the Line and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands through which the same was intended to pass, have been deposited with the Clerk of the Peace of the County of *Monmouth:* And whereas since the depositing of the said Plans and Sections as herein-before mentioned an Alteration of the Line and Levels of the said Railway as laid down and defined upon such Plans and Sections has been agreed upon and determined, with the Concurrence of the Owners, Lessees, and Occupiers of the Lands through which such Alteration is to be made; be it therefore enacted, That the said Plans, Sections, and Books of Reference so deposited shall remain with and be kept by the said Clerk of the Peace, and that a Map or Plan describing the Line of the said Railway as the same is intended to be made by virtue of this Act, authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, together with a Section and Book of Reference thereto containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which such Railway is proposed to be made, shall, within Three Calendar Months next after the passing of this Act, be deposited with the said Clerk of the Peace, and that, subject to the Provisions and Restrictions contained in this Act, and in the Acts incorporated therewith, it shall be lawful for the Company to make and maintain the Railway in the Line and upon the Lands delineated on the Plans to be authenticated by the Right Honourable the Speaker, and described in the Books of Reference herein-before mentioned, and to enter upon, take, and use such of the said Lands as shall be necessary for that Purpose. Power to make Railway according to amended Plan.

XCV. And be it enacted, That the Railway shall consist of the Main Line and Branches herein-after described; (that is to say,) Line of the Railway.

A Railway to commence at or near *Pentonville* within the Borough of *Newport*, and to terminate at or near *Ponty Moyle* within the Parish of *Panteague*, such Railway being the Main Line:

A Branch from the *Pentonville* Terminus of the Main Line to communicate with the *Newport Docks:*

A Branch from the *Ponty Moyle* Terminus of the Main Line to a Point within the Parish of *Trevethin* at or near *Snatchwood House:*

A Branch from the last-mentioned Branch to commence at or near *Pontnewynydd* Rolling Mills, and to terminate at or near the Junction of *Cwm Frwyddore* with *Cwm Nant Ddu;* which Railway and Branches will pass from, through, and into the Borough of *Newport*, and the several Parishes or Places of *St. Woollos*, *Malpas*, *Llanvihangel*, *Llantarnam*, *Llanvrechva*, *Upper and Lower Panteague*, and *Trevethin*, all in the County of *Monmouth*.

XCVI. And

Certain Roads to be crossed on a Level.

XCVI. And be it enacted, That it shall be lawful for the Company to construct the said Railway across and on the Level of the following public Carriage Roads; (that is to say,)

In the Parish of *Trevethin*, the Roads numbered 739 and 579.

Not to erect Bridges of greater Width than the Roads they cross.

XCVII. And be it enacted, That, notwithstanding any thing in the said Railway Clauses Consolidation Act, 1845, contained, the said Company shall not be required to erect any Bridge for carrying the Railway over the public Carriage Roads, numbered 37 on the said Plan in the Parish of *Malpas*, Nos. 29, 52, and 84 in the Parish of *Llanvihangel Llantarnam*, Nos. 17, 59, and 78 in the Parish of *Llanvrechva Upper*, and Nos. 21, 95, and 117 in the Parish of *Panteague*, of a greater Width than the present average available Width for the Passage of Carriages along such Roads within Fifty Yards of the Points of crossing the same respectively.

Owners of Lands may construct and use Occupation Bridges and Tunnels.

XCVIII. And be it enacted, That it shall be lawful for the Owners, Lessees, or Occupiers of Lands, Mines, or Minerals lying on both Sides of any or either of the existing Railways or Canals of the Company from Time to Time and at all Times hereafter to make and maintain, use and enjoy such and so many Bridges, Arches, Tunnels, Culverts, Airways, Headways, Gateways, and Water Levels over or under such Railways or Canals as they may think necessary for the Purpose of the convenient Occupation and Use of the said Lands, Mines, and Minerals, or for the Purpose of ventilating, draining, or working the said Mines and Minerals or any of them; provided that all and every of such Bridges, Arches, Tunnels, Culverts, Airways, Headways, Gateways, and Water Levels shall be so constructed as not in any way to endanger the Safety, or to obstruct, damage, or prejudice the existing Railways or Canals of the Company, or any of them, by this Act and the said recited Acts or any of them authorized, or to impede the free Use and Enjoyment of the same: Provided also, that no such Bridge, Arch, Tunnel, Culvert, Airway, Headway, Gateway, or Water Level shall be used for the Purpose of diverting or so as to divert any Traffic from any Canal or Railway of the Company, and that no such Airway, Headway, Gateway, or Water Level shall be of greater Dimensions or Section than Eight Feet wide and Eight Feet high: Provided also, that nothing herein contained shall extend or be construed to extend to abridge or to enlarge the Rights or Powers of any Person or Persons or of the said Company in respect of the Right of crossing, or of the Right of ventilating, draining, or working, any Mines or Minerals lying under or by the Side of any existing Railway or Canal of the said Company otherwise than is herein-before provided.

Lands for additional Stations, &c.

XCIX. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Fifty Acres, exclusive of such Land as they are herein-after authorized to take for improving their existing Railways.

Period within which Lands are to be purchased.

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

CI. And

Not to take certain Lands without Consent.

CI. And be it enacted, That nothing herein contained shall authorize or empower the said Company to take any of the Lands, numbered 40, 43, 46, 47, 48, 49, 50, 59, 81, 82, 86, 298, and 310 on the said Plans, in the Parish of *Saint Woollos*, without the Consent in Writing of the respective Owners, Lessees, and Occupiers thereof first had and obtained.

Period for Completion of Works.

CII. And be it enacted, That the Railway shall be completed within Three Years from the passing of this Act, and on the Expiration of such Period the Powers granted to the Company for making the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Canal above Junction with Brecon and Abergavenny Canal may be abandoned.

CIII. And be it enacted, That when and so soon as the Main Line of Railway shall be open for Traffic, the Company shall be no longer liable to maintain that Part of their Canal from *Newport* to *Pontnewynydd* which is situate above the Junction thereof with the *Brecon* and *Abergavenny* Canal, but shall and may fill up or otherwise abandon the same, and shall and may in lieu thereof provide and maintain Culverts, Watercourses, Ponds, and other necessary Works for conveying Water to that Part of their Canal which is situate below the said Junction; provided that the Company shall complete the said Branch Road to *Snatchwood* within Nine Months after they shall stop up the said Part of their Canal.

Tolls:

CIV. 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,)

Tonnage on Articles of Merchandize.

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

For all Sorts of Manure, and all undressed Materials for the Repair of Highways, and for all Coals, Culm, Coke, Ironstone and Iron Ore, *per* Ton *per* Mile not exceeding Three Farthings until the Expiration of Five Years after the passing of this Act, and afterwards *per* Ton *per* Mile not exceeding One Halfpenny; and if conveyed in Carriages belonging to the Company, whether before or after the Expiration of the said Five Years, an additional Sum *per* Ton *per* Mile not exceeding One Eighth of a Penny:

For all Charcoal, Limestone, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, and Sand, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Eighth of a Penny:

For all Iron, Lead, Tin, and Tin Plates (except Nails, Utensils, or other Articles of Merchandize), *per* Ton *per* Mile not exceeding One Penny Halfpenny until the Expiration of Five Years after the passing of this Act, and afterwards *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company, whether before or after the Expiration of the said Five Years, an additional Sum *per* Ton *per* Mile not exceeding One Eighth of a Penny:

For all Goods, Wares, or Merchandize, Matters or Things, (for which no other Payment is herein imposed,) *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:

And 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, *per* Mile not exceeding Sixpence:

And a Sum not exceeding 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 such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Two-pence:

Tolls for Passengers and Animals.

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

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

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

Regulations as to the Tolls.

CV. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of such Tolls, and also to the Tolls payable for locomotive Power; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Four Miles, the Company may demand, in addition to the prescribed Tolls for Conveyance, a reasonable Charge for the Expence of stopping, loading, and unloading:

For a Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Merchandize for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

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

With respect to all Articles the Weight shall be determined according to the usual Avoirdupois Weight.

CVI. And

Tolls for small Parcels and great Weights.

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

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 of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

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

Passengers Luggage.

CVII. And be it enacted, That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and fifty 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.

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.

CVIII. 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 Session 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 Railway, or the Company in respect of the Railway, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the Railway so far as the same shall be applicable thereto.

Provision for future general Railway Acts.

CIX. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, which may hereafter pass during the present or any future Session of Parliament, or from any Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act or the said recited Acts.

CX. And

Existing Railways to be adapted to locomotive Engines.

CX. And whereas the Company, at the Request of the Freighters on their existing Railways, have agreed to improve such Railways so as to adapt them for the Passage of locomotive Steam Engines, and also to become Carriers on such Railways as well as on the Railway, in order thereby to afford increased Facilities to Trade, and promote the public Convenience; be it therefore enacted, That the Company shall and they are hereby required, within Three Years after the passing of this Act, to improve their existing Railways wherever that may be necessary to adapt them for the convenient Passage of locomotive Steam Engines for the Carriage of Goods and Merchandize at reasonable Rates of Speed, and to provide and maintain such and so many Carriages and locomotive Steam Engines and other moving Power as may be necessary for the Carriage of Passengers, Animals, and Goods which may be conveyed to their Railways, and which they may be required to carry thereon; and such Carriages and locomotive Steam Engines and other moving Power as may be required shall be provided and furnished by the Company at reasonable Times for the Accommodation and Convenience of the Public; and all necessary Facilities shall be afforded by the Company as well for conveying Passengers, Animals, and Goods along their Railways, as for taking Passengers, Animals, and Goods to and from the same; but the Company shall not be required by reason of any thing in this Act contained to alter or become Carriers on the *Rassa* or the *Cwm Frwyd* Railroads, the Gradients whereof cannot be adapted to the Passage of Steam Engines; and it shall be lawful for the Company to make, erect, provide, and maintain convenient Stations, Yards, Wharfs, and Places for accommodating Passengers, and receiving, depositing, loading, and unloading Goods and Animals, and to erect Weighing Machines, Toll Houses, Offices, Warehouses, and other Buildings, Roads, Ways, and other Works and Conveniences, and to contract with any Person willing to sell the same for the Purchase of any Lands adjoining or near to such Railways required for any of the foregoing Purposes, not exceeding in the whole Fifty Acres; and it shall be lawful for all Persons who, under the Provisions of this Act, would be enabled to sell and convey Lands for the Railway hereby authorized to be made to sell and convey Lands required by the Company for any of the foregoing Purposes.

Portion of the Sirhowy Road belonging to Sir Charles Morgan to be adapted to locomotive Engines.

CXI. And whereas, under and by virtue of the said recited Act passed in the Forty-second Year of the Reign of His Majesty King *George* the Third, a Tramroad has been made and maintained from the *Sirhowy* Furnaces to *Newport* and *Pillgwenlly* by the Persons thereby authorized so to do; (that is to say,) the Portion from *Sirhowy* Furnaces to the *Nine Mile Point* by the *Sirhowy* Tramroad Company, the Portion through *Tredegar Park* by Sir *Charles Morgan* Baronet, and the remaining Portions by the Company, and such Tramroad forms One unbroken Line of Communication: And whereas under the Provisions of this Act the Company will be required to improve those Portions which belong to them, so as to adapt them for the convenient Passage of locomotive Steam Engines at reasonable Rates of Speed, and it will be necessary that the Portion which belongs to Sir *Charles Morgan* should be improved in like Manner; be it therefore enacted, That the Portion of the said *Sirhowy* Tramroad which belongs to Sir *Charles Morgan*

Morgan shall, within Three Years after the passing of this Act, be improved by the Owner of such Portion, so as effectually to adapt the said Tramroad for the convenient Passage at reasonable Rates of Speed of the Engines and Carriages in use on the Company's existing Railways; and all and every the Powers hereby given the Company to enable them to improve their existing Railways shall be and the same are hereby extended to Sir *Charles Morgan*, so far as such Powers may be necessary for the Purposes aforesaid, and the Obligations to repair and maintain the said *Sirhowy* Tramroad by the said recited Act imposed on the respective Owners thereof, and the Remedies thereby given for enforcing such Reparation, shall extend and apply thereto when improved.

Not to travel with Locomotives on existing Lines beyond Ten Miles an Hour.

CXII. And be it enacted, That it shall not be lawful for the Company, or any other Company, Person or Persons, to travel with locomotive Engines on the existing Railways of the Company after the Company shall have become Carriers at a greater Speed than at the Rate of Ten Miles in the Hour.

Canals and Branch Tramroads may be purchased or rented by the Company.

CXIII. And whereas the public Convenience would be promoted if Canals, Tramroads, and Railways which communicate either directly or indirectly with Canals, Tramroads, or Railways of the Company were acquired by the Company, and it is expedient to empower the Owners thereof to sell or lease, and the Company to purchase or rent the same; be it therefore enacted, That the Owners of all Canals, Tramroads, and Railways which do or shall communicate either directly or indirectly with any Canal, Tramroad, or Railway of the Company shall be and they are hereby respectively empowered to demise or let for the Term of a Life or Lives, or for a Term of Years absolute or determinable with a Life or Lives, or to sell for an absolute or defeasible Estate, any Canal, Railway, or Tramroad which does or shall communicate either directly or indirectly with any Canal, Tramroad, or Railway of the Company, upon such Conditions, and on the Payment of such Sums of Money, or yearly or other fixed or fluctuating terminable or other Annuities or Rents, as may be agreed upon between such Owners and the Company; and the Company shall be and they are hereby empowered so to rent or purchase any of the said Canals, Tramroads, or Railways; and all the said Parties are hereby empowered to enter into, execute, and make all necessary Contracts, Leases, Conveyances, and Writings for vesting such Canals, Tramroads, and Railways in the Company, and securing the Purchase Monies, or yearly or other fixed or fluctuating Annuities or Rents payable for the same, to the Persons entitled thereto; and all incorporated Companies and Persons possessed of or entitled to any such Canal, Railway, or Tramroad, or any Part thereof, whether in Fee Simple or in Tail, or for Life, or for any other partial or qualified Estate or Interest, and whether such Estate or Interest or Tenancy shall be legal or equitable, and whether such Companies and Persons shall be possessed or entitled in their own Right or as Trustees for others, and although such Persons may be subject to Coverture or other Disability or Incapacity, shall be deemed to be such Owners as are hereby authorized to sell or let as well for and on their own Behalf,

and on behalf of their Cestuique Trusts, as of all Persons entitled in reversion, remainder, or expectancy, whether Infants, Issue unborn, Femes Covert, or other Persons; and all the Powers and Provisions contained in the Lands Clauses Consolidation Act, One thousand eight hundred and forty-five, and herewith incorporated, to authorize Persons having a limited Interest, or being under Disability or Incapacity, to sell Lands required for the Purposes of this Act, shall extend to Persons under Disability or Incapacity possessed of or interested in any Part of the said Canals, Railways, or Tramroads, and to all Persons, whether disabled or incapacitated or not, who shall have a limited Interest therein, all which Persons shall have the same Authority to demise or convey such Canals, Railways, and Tramroads absolutely to the Company as they would have if such Canals, Railways, and Tramroads were Lands required for the Purposes of this Act; and all incorporated Companies may convey to and vest in the Company the Rights, Powers, and Authorities conferred upon such incorporated Company by its Act of Incorporation or otherwise; and such Rights, Powers, and Authority, when so conveyed, may be enjoyed and exercised by the Company as fully and effectually as they might otherwise have been by the incorporated Company.

Form of Conveyance or Demise subject to an Annuity or Rent.

CXIV. And be it enacted, That if by any Contract any Annuity, whether fixed or fluctuating in Amount, shall be agreed to be paid for any such Canal, Railway, or Tramroad, or if any Lease of any such Canal, Railway, or Tramroad, subject to a Rent either fixed or fluctuating, to be thereby reserved, shall be agreed to be accepted by the Company, a Conveyance or Demise of the Canal, Railway, or Tramroad for which such Annuity or Rent shall be payable shall be made to the Company, subject to such Annuity or Rent; and such Conveyance or Demise may be according to the Form in the Schedule (B.) to the Lands Clauses Consolidation Act, 1845, annexed, or as near thereto as the Circumstances of the Case will admit.

Any such Annuity or Rent to be charged upon the Company's Tolls.

CXV. And be it enacted, That if by any Contract any Annuity, fixed or fluctuating in Amount, shall be agreed to be paid by the Company for any Canal, Railway, or Tramroad, or if the Company shall accept any Lease of such Canal, Railway, or Tramroad, the Annuity in the one Case, and the Rent reserved in the other, shall be charged on the Tolls payable to the Company, and shall be paid to the Persons entitled thereto on the Days whereon the same shall be payable; and if such Annuity or Rent shall at any Time be in arrear for Thirty Days, the Person to whom the same shall be payable may recover such Annuity or Rent from the Company, with Costs of Suit, by Action of Debt in any of the Superior Courts.

Purchase Money, when belonging to Persons under Disability, to be paid into the

CXVI. And be it enacted, That any Purchase Money payable by the Company for any Canal, Railway, or Tramroad shall be paid to the Owners thereof, unless such Owners shall be disabled or incapacitated to sell, or shall have a limited Interest only, and have no other Authority to sell than this Act, in which Case the Purchase Money payable to such disabled or incapacitated Persons shall be paid into the Bank of *England* in the same Manner as the Purchase Money of Lands belonging

belonging to Persons under Disability required for the Purposes of the Railway is by "the Lands Clauses Consolidation Act, 1845," directed to be paid; and on the Payment of any Purchase Money into the Bank the Canal, Railway, or Tramroad, or the Estate and Interest therein, for which such Payment shall be made, shall vest absolutely in the Company without any Conveyance thereof; and on the Payment of any Purchase Money to the Owners Conveyances shall be made to the Company of the Canal, Railway, or Tramroad, or the Estate and Interest therein, for which such Money shall be paid, according to the Form in the Schedule (A.) to "the Lands Clauses Consolidation Act, 1845," annexed, or as near thereto as the Circumstances of the Case will admit; and all such Conveyances, as well as all Conveyances and Demises made as herein-before is directed, subject to Annuities or Rents, shall be effectual to vest the Canal, Railway, or Tramroad conveyed or demised in the Company, and shall operate to merge all Terms of Years attendant on the Estate or Interest thereby conveyed or demised, and to bar and destroy all Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever, of and in the Canal, Railway, or Tramroad comprised in such Conveyances or Demises as shall have been purchased for the Consideration therein mentioned; but although Terms of Years be thereby merged, they shall afford the same Protection as if they had been kept on foot and assigned to a Trustee for the Company to attend the Inheritance.

Bank of England.

Form of Conveyance when required.

CXVII. And be it enacted, That the Company shall be entitled to the Canal, Railway, or Tramroad so conveyed to or vested in them, and the Ground and Soil thereof, in the like Manner in every respect as they are entitled to the Canals, Railways, or Tramroads with which they communicate, and the Ground and Soil thereof, but for such Estate, nevertheless, as they may purchase or otherwise acquire therein; and such Canal, Railway, or Tramroad shall be public and open for the Use of all Persons upon Payment of the like Tolls which may be payable upon the Railways of the Company; provided, that if, under any Agreement with the Owner of such Canal, Railway, or Tramroad, Tolls at a lower Rate or for a less Distance would have been payable to such Owner than may for the Time being be received by the Company, such lower Tolls shall, during the Continuance of the said Agreement, be payable to and accepted by the Company.

Canals and Tramroads to be open to the Public.

CXVIII. And be it enacted, That it shall be lawful for the Company, by the Order of a General Meeting, to raise by Contributions amongst themselves, or by the Admission of other Parties as Members of the Company, or partly by one and partly by the other of those Methods, in Shares of One hundred Pounds each, to be called Entire Shares, or in Shares of Twenty-five Pounds, to be called Quarter Shares, or partly in Entire Shares and partly in Quarter Shares, any further Sum of Money not exceeding the Amount of the Purchase Money by them paid for any such Canal, Railway, or Tramroad, such Capital to be in addition to the several other Sums herein-before authorized to be raised, or the Company, instead of raising the whole Amount of such Purchase Money by creating Shares, may, by the Order of a General Meeting,

Company may raise a further Capital, not exceeding the Price of Tramroads purchased.

Meeting, borrow on Mortgage or Bond, or partly by one Mode and partly by the other, any Sums of Money not exceeding One Third Part of the Sums which at the Time of such borrowing shall have been actually subscribed in respect of Shares created for the Purpose of raising such Purchase Money.

Tolls may be altered.

CXIX. And be it enacted, That it shall be lawful for the Company at any General Meeting specially convened to consider the Subject, of which Six Weeks Notice shall be given, to lower or reduce any of the Tolls by them authorized to be taken, and afterwards at any General Meeting specially convened by a like Notice to advance and raise the same, provided that the Tolls shall in no Case exceed the Tolls hereby authorized to be taken; and that, notwithstanding any thing in the said Act contained, the Presence of any particular Number or Proportion of the Shareholders, or the Concurrence in any Resolution for the Reduction of such Tolls of any greater Number than Three Fifths of the Shareholders present, shall not be required at any Meeting holden for any of the Purposes aforesaid; and the Votes of the Shareholders shall be given in the Manner prescribed by the first-recited Act.

Committee may regulate Tolls on Goods carried upward.

CXX. And be it enacted, That, subject to the Control of the General Meetings of the Company, the Committee may from Time to Time regulate and fix the Tolls to be paid on Goods, Wares, and Merchandize conveyed upward along any of the Canals or Railways of the Company.

After Three Years no higher Tolls shall be taken on existing Canals and Railways than on the Railway.

CXXI. And be it enacted, That at the Expiration of Three Years after the passing of this Act no higher Tolls shall be taken on the existing Canals or Railways of the Company than shall be for the Time being payable for the like Articles conveyed under the like Circumstances on the Railway hereby authorized to be made, or would be payable thereon if then open for Traffic; and the Tolls hereby imposed on the Railway may thenceforth be demanded and received on the existing Canals and Railways of the Company, and on all other Railways made under the Powers of the said recited Acts or any of them; and all and every the Provisions and Enactments herein contained for regulating the Tolls payable on the Railway shall apply to the Tolls thenceforth payable on the existing Canals and Railways of the Company, and on such other Railways; and all Enactments contained in any of the said recited Acts which provide that Railways made under the Powers thereof shall be public on Payment of the like Tolls which for the Time being shall be payable to the Company shall be and the same are hereby extended to the Tolls hereby authorized to be taken by the Company; and no higher Tolls than shall for the Time being be taken under the Powers herein contained shall hereafter be demanded or received for the Use of such other Railways, save when herein otherwise expressly provided.

Company may lease Tolls.

CXXII. And be it enacted, That it shall be lawful for the Company from Time to Time, by Lease to take effect in possession within Three Months

Months from the letting thereof, to let the Tolls or any Part thereof upon the whole or any Part of their Canals or Railways to any Party for any Period they may think proper, not exceeding Seven Years from the Commencement of any such Lease: Provided always, that no such letting shall take place unless public Notice of the Intention to let the Tolls, or the Part thereof intended to be let, shall have been given by the Company by Advertisement at least Twenty-one Days prior to the Meeting of the Committee at which it shall be intended to let the Tolls.

Rights and Obligations of Lessees.

CXXIII. And be it enacted, That any such Lease of the Tolls shall entitle the Company or Person to whom the same shall be granted to the free Use of the Canal or Railway, or Portion of the Canal or Railway comprised therein, and shall contain all usual and proper Covenants on the Part of the Lessee for maintaining the Canal or Railway, or the Portion thereof comprised in such Lease, in good and efficient Repair and working Condition during the Continuance thereof, and such other Provisions, Conditions, Covenants, and Agreements as are usually inserted in Leases of a like Nature.

Lessees to be deemed Collectors.

CXXIV. And be it enacted, That during the Continuance of any such Lease the respective Lessees therein named, and also all Persons appointed by them to collect the Tolls so let, shall be deemed Collectors of the Tolls so let, and they shall have the same Powers to collect and recover such Tolls, and be subject to the same Rules, Duties, and Penalties in reference thereto, as if they had been appointed for that Purpose by the Company.

Powers and Liabilities of Company extended to Lessees.

CXXV. And be it enacted, That during the Continuance of any such Lease all the Powers and Privileges granted to and which might be exercised and enjoyed by the Company or the Committee thereof, or their Officers, by virtue of this Act or the said recited Acts, in relation to the Possession, Enjoyment, and Management of the Canals or Railways, or of the Part thereof comprised in such Lease, shall be exercised and enjoyed by the Lessee, and the Officers and Servants of such Lessee, under the same Regulations and Restrictions as are by this or the said Acts imposed on the Company, their Committee and Officers.

Power of Re-entry in case Lease shall become void.

CXXVI. And be it enacted, That if any such Lease shall have become void or voidable according to any Stipulations therein contained for that Purpose by reason of the Failure on the Part of the Lessee to comply with any of the Terms of such Lease, or if all or any Part of the Rent thereby reserved shall be in arrear or unpaid for Twenty-one Days after the same shall become payable, then, upon Application made by the Company to a Justice, it shall be lawful for such Justice to order any Constable to enter upon any Station, Dwelling House, Office, Weighing Machine, or other Building or Ground belonging to the Company, and to remove from the same the Lessee or Collector or other Person found therein, together with his Goods, and to take possession thereof, and of all Property found therein belonging to the Company, and deliver the same to them, or any Person appointed by them for that Purpose.

Power to relet Tolls.

CXXVII. And be it enacted, That upon such Possession being obtained it shall be lawful for the Company to determine the Lease (if any) previously subsisting, and the same shall accordingly be utterly void, except as to the Remedies of the Lessors for Payment of the Rent due, or in respect of unperformed or broken Obligations or Conditions on the Lessee's Part, all which Remedies shall remain in full Force; and in every such Case, either during such Proceedings or on the Termination thereof, the Company may again let the Tolls to the same or to any other Person, or cause them to be collected, as if no such former Lease had been made.

Company within Three Years to carry as Common Carriers on their Railways.

CXXVIII. And be it enacted, That the Company shall and they are hereby required to carry, as Common Carriers for hire, on their existing Railways within Three Years after the passing of this Act, and also on the Railway when and so soon as the same shall be open for Traffic, by means of locomotive Steam Engines or other moving Power in their own Carriages and in the Carriages of other Persons, all Passengers, Animals, and Goods which may be brought to their Railways, and which they may be required to convey thereon; and the Company shall afford to all Persons conveying or sending Goods upon their Railways every reasonable Convenience and Facility for loading and unloading Goods upon and from the Carriages, whether their own or those of the Company, at the several Stations or other Places for delivering or receiving such Goods, without giving any Preference or Priority to one Person over another in the Time or Manner of loading, unloading, receiving, conveying, or delivering such Goods.

Company to become Carriers through Tredegar Park.

CXXIX. And be it enacted, That the Company shall and they are hereby required, within the Period aforesaid, to carry, as such Common Carriers for hire, Passengers, Animals, and Goods along that Portion of the *Sirhowy* Tramroad which passes through *Tredegar Park*, in the like Manner in every respect as on their existing Railways: Provided nevertheless, that the Railway Tolls which shall accrue on the Portion of the said Tramroad passing through *Tredegar Park* shall belong to the Person who, under the said recited Act of the Forty-second Year of the Reign of His Majesty *George* the Third, shall for the Time being be entitled thereto, and shall be received and collected, and may be recovered by Action or Distress, by such Person, in the same Manner as if this Act had not been made; and such Tolls may equal, but shall not at any Time exceed, the Railway Tolls for the Time being taken by the Company upon their Portions of the said Tramroad; and in case of a Distress being made on any Goods for the Recovery of any such Tolls, it shall be lawful for such Person as aforesaid, or his Agents, to stop and detain any Carriage wherein such Goods shall be conveyed for such reasonable Time as may be necessary in order to unload such Goods.

Company to pay and collect the Railway Tolls on Goods carried by them

CXXX. And be it enacted, That the Company shall be liable to pay to the Person who, under the said last-recited Act, shall be entitled thereto the Railway Tolls which shall accrue on Goods carried by them on the Portion of the said Tramroad passing through *Tredegar Park*; and the Person so entitled to such Tolls shall have the same Powers and Remedies to recover from the Company the Tolls so payable by them

as

as he may have against other Persons so using the said Portion of the said Tramroad; and the Company may sue for and recover the Railway Tolls to which they are so made liable in like Manner as if such Tolls had accrued on their existing Railways. through Tredegar Park.

CXXXI. And whereas the public Convenience will be promoted if the Tolls charged by the Company for Passengers, Animals, and small Parcels under Five hundred Pounds Weight conveyed in their Carriages along the *Sirhowy* Tramroad should include the Railway Tolls payable on that Part of the Tramroad which passes through *Tredegar Park;* be it enacted, That the Company shall be empowered to demand for Passengers, Animals, and small Parcels under Five hundred Pounds Weight conveyed in their Carriages along that Portion of the *Sirhowy* Tramroad which passes through *Tredegar Park* Railway Tolls at the same Rate of Charge as upon their own Railways, and shall pay for such Railway Tolls to the Person who for the Time being shall be entitled thereto One Third Part of the entire Sum which for Railway Tolls, moving Power, and Carriages shall be received by them for the Conveyance of Passengers and Animals over that Portion of the said Tramroad. Company to collect Railway Tolls on Passengers, Animals, &c. conveyed by them through Tredegar Park.

CXXXII. And be it enacted, That it shall be lawful for the Company (but they shall not be obliged so to do) to carry, as Common Carriers for hire, Passengers, Animals, and Goods upon all public Railways, and also, with the Consent of the Owner thereof, upon any private Railway, which do or shall communicate with any Canal or existing Railway of the Company, or with the Railway, in like Manner as they are hereby required to do on their existing Railways. Company may carry on other Railways.

CXXXIII. And be it enacted, That the Company may demand for the Use of Carriages in respect of Passengers, Animals, and Goods conveyed in Carriages belonging to them upon their existing Railways, or any other public Railway, any Tolls not exceeding the Tolls for Carriages which for the Time being they may demand in respect of Passengers, Animals, and Goods of a like Description conveyed upon the Railway hereby authorized to be made in Carriages belonging to the Company. The like Tolls may be taken for Carriages on existing Railways as on this Railway.

CXXXIV. And be it enacted, That the Company may demand for the Use of Steam Engines or other moving Power, when provided by them for propelling Carriages, whether on their own Railways or on any other Railway, any Tolls not exceeding the following; (that is to say,) Tolls for propelling Power.

For each Passenger or Animal, Two *per* Mile; for Coals, Culm, Coke, Ironstone and Iron Ore, and for Iron, Lead, Tin, and Tin Plates, (except Nails, Utensils, or other Articles of Merchandize,) Three Eighths of a Penny *per* Ton *per* Mile; and for other Goods, One Halfpenny *per* Ton *per* Mile: Provided nevertheless that the Company may demand and receive any Tolls they may think fit for such moving Power in respect of such small Parcels for which they are herein-before authorized to take Tolls for the Use of the Railway without Limitation as to Amount.

CXXXV. And

Limiting Tolls for Passengers.

CXXXV. And be it enacted, That the whole Charge for Tolls, Carriage, and locomotive Power to be made for every Passenger shall not, if conveyed in a First Class Carriage, exceed Three *per* Mile, if conveyed in a Second Class Carriage exceed Two-pence *per* Mile, if conveyed in a Third Class Carriage exceed One Penny Halfpenny *per* Mile, upon any of the Railways whereupon the Company are hereby required or authorized to carry Passengers.

Tolls for Railways, for moving Power, and for Carriages to be apportioned on Goods.

CXXXVI. And be it enacted, That the Company shall apportion the Tolls on Goods into separate Sums, showing what Sum is demanded and received for the Use of the Railways of the Company, what Sum for Steam Engines or other moving Power, and what Sum for Carriages, except on the Goods for which the Company are authorized to demand such Tolls as they may think fit, without Limitation of Amount, in respect whereof the Company may demand and receive an aggregate Sum for the Use of their Railways, for moving Power, and for Carriages.

Power to contract with other Railway Proprietors for Passage of Engines and Carriages.

CXXXVII. And be it enacted, That it shall be lawful for the Company to contract or agree with any Persons or Company incorporated, or otherwise, being Owners, Lessees, or in possession of any Railway now or hereafter communicating with any Railway of the Company, for the Passage along any Railway of the Company of Engines and Carriages which shall pass over or along the Railway of such Persons or other Company, or for the Passage over and along the Railway of such Persons or other Company of any Engines and Carriages which shall pass along any of the existing Railways of the Company, upon such Terms as to the Payment or Division and Apportionment of Tolls, and subject to such Conditions and Provisions, as to the Company may seem advisable, and as may be mutually agreed upon between the Company and such Persons or other Company, so, nevertheless, as that no higher or other Tolls shall be taken by reason of such Agreement from any Person using any of such Railways; and it shall be lawful for all Persons and Companies, being Owners, Lessees, or in possession of any Railway, so to contract with the Company.

Certain Provisions of 8 & 9 Vict. c. 20. extended to existing Railways when altered.

CXXXVIII. And be it enacted, That, in addition to other the Provisions of the Railway Clauses Consolidation Act, 1845, which are hereby expressly or by reference extended to the existing Canals and Railways of the Company, the following Clauses of the Railway Clauses Consolidation Act, 1845, (that is to say,)

Provision in Cases where Roads are crossed on a Level, and as to crossing Turnpike Roads adjoining Stations:

Penalty on Persons omitting to fasten Gates:

Power to Parties to make private Branch Railway communicating with the Railway, and Restrictions and Conditions thereon:

List of Tolls to be exhibited on a Board:

Milestones to be set up:

Tolls to be taken only whilst Board exhibited and Milestones maintained:

Tolls to be paid as directed by the Company:

In default of Payment of Tolls Goods may be detained and sold:

Account of Lading to be given:
Penalty for not giving Account of Lading:
For settling Disputes as to Amount of Tolls chargeable:
For determining Differences as to Weights or Quantity of Goods:
Toll Collector to be liable for wrongful Detention of Goods:
Penalty on Passengers practising Frauds on the Company:
Detention of Offenders:
Penalty for bringing dangerous Goods on the Railway:
Toll Collectors to deliver up Possession of Property of Company:
Company to regulate the Use of Railway, and
Empowered to make Regulations by Bye Laws, to be published, and then to be binding:
Engines to consume their Smoke, to be approved of by Company, and Certificate of Approval given, and to be removed when unfit for Use:
Penalties for using improper Engines:
Carriages to be constructed according to Company's Regulations, which Regulations shall apply to their own Carriages as well as those of others:
Penalty for using improper Carriages:
Owner's Name and Abode to be registered, and exhibited on Carriages:
On Non-compliance, Carriages may be removed:
Carriages improperly loaded or suffered to obstruct the Road may be unloaded or removed:
Removal of Obstructions:
Company not to be liable for Damage thereby caused:
Owners liable for Damage by their Servants, and may recover such Damages from Servants,

Shall, when and so soon as the Company shall have become Carriers by means of locomotive Engines, be applicable and the same are hereby extended to the existing Railways of the Company, and shall be binding upon and obeyed by the Company and all other Persons in like Manner as if the said Clauses were herein repeated for the Purpose of so applying and extending them, and as if the Powers, Privileges, Authorities, Exemptions, Restrictions, Obligations, and Penalties in the said Clauses contained, and thereby conferred or imposed, were herein contained, or hereby conferred and imposed upon the Company and other Persons, in respect of the said Railways.

Power to lease the Works to any Persons or Company who are or may be Owners of any Railway or Canal communicating therewith;

CXXXIX. And be it enacted, That it shall be lawful for the Company, by and with the Authority of so many of the Shareholders as shall be entitled to Three Fifth Parts of the whole of the Capital in the said Undertaking, at a General Meeting convened for the Purpose, such Meeting to be called by Advertisement inserted for Four successive Weeks in such Newspaper as herein-before mentioned, to grant a Lease of any of their existing Canals, Railways, or Works, and the Railway, to any Persons or Company who may be the Owners of any Canal or Railway which now does or hereafter may join any Canal or Railway of the Company, for such Term, and for such Rent or Consideration, as shall be agreed upon, and it shall be lawful for such last-mentioned Persons or Company to accept such Lease.

and to sell the same.

CXL. And be it enacted, That it shall be lawful for the Company at any such General Meeting, and by and with such Authority as aforesaid, to sell and convey, or contract to sell and convey, their existing Canals, Railways, and Works, and the Railway, to any Persons or Company; and such Sale or Conveyance may be made before or after the Completion of the Railway: Provided nevertheless, that no such Sale or Purchase of the said Canals, Railways, or Works under this Power shall be completed unless the Sanction of Parliament shall be obtained for the Completion thereof.

Company may carry on their Canals.

CXLI. And be it enacted, That it shall be lawful for the Company to carry, as Common Carriers for hire, on their Canals, and also on any Canal communicating therewith, in their own Boats and in the Boats of other Persons, Passengers and Goods, and for that Purpose to provide and maintain Boats, Horses, and other moving Power (except Steam Boats using Paddle Wheels), Matters, and Things; and it shall be lawful for the Company to receive such reasonable Rates of Charge as such Carriers as shall from Time to Time be appointed by the Company, such Rates being equal to all Persons upon the same Portions of Canal under like Circumstances, and no Reduction or Advance in Charge or Exemption from Payment being made in favour of or against particular Persons, provided that different Rates may be appointed for different Goods, and for different Accommodation for Passengers, and for different Rates of Speed.

No other Liability for Loss as Carriers than such as Common Carriers are subject to.

CXLII. And be it enacted, That nothing in this Act contained shall extend to charge or make liable the Company, or any other Person or Company, further or in any other Cases than where Stage Coach Proprietors and Common Carriers would be liable, nor shall extend to deprive the Company, or such other Person or Company, of any Protection or Privilege which Common Carriers or Stage Coach Proprietors may be entitled to, but on the contrary the Company, and such other Person or Company, shall at all Times be entitled to the Benefit of every such Protection and Privilege.

Not to affect existing Agreements.

CXLIII. And be it enacted, That nothing in this Act or in the before-recited Acts, or any or either of them, contained, save and except as herein specially provided, shall extend or be construed to extend to prejudice, annul, alter, or vary any Agreement or Agreements now subsisting between the Company and any other Person or Persons whomsoever, but the same shall remain in all respects as if this Act had not passed.

Saving Clause.

CXLIV. And be it enacted, That nothing herein contained shall extend or be construed to extend to enlarge, take away, abridge, or alter any of the Rights, Privileges, Powers, or Authorities vested in the *Sirhowy* Tramroad Company, or the Owners for the Time being of that Portion of the *Sirhowy* Tramroad passing through *Tredegar Park*, or the *Rumney* Railway Company, or the Company of Proprietors of the *Brecon* and *Abergavenny* Canal, or the Owners of any Tramroads or Railways which communicate with the existing Railways of the Company, unless where the Exercise of such Rights, Privileges,

Powers,

Powers, or Authorities will be inconsistent with any of the Enactments herein contained.

Saving the Rights of the Crown.

CXLV. Provided always, and be it enacted, That nothing in this Act or in any of the Acts herein recited or referred to contained shall extend or be construed to extend to defeat, lessen, impair, prejudice, or derogate from any Estate, Right, Title, Interest, Franchise, Jurisdiction, or Authority vested in or appertaining to the Queen's most Excellent Majesty in right of her Crown, or otherwise howsoever.

Interpretation of Act.

CXLVI. And be it enacted, That unless there be something in the Subject or Context repugnant to such Construction, the following Words, whenever they may be found in this Act, shall have the Meanings hereby assigned to them; (that is to say,)

Words importing the Singular Number only shall include the Plural Number, and Words importing the Plural Number only shall include the Singular Number:

Words importing the Masculine Gender shall include the Feminine:

The Word "Month" shall mean a Calendar Month:

The Expression "Superior Courts" shall mean Her Majesty's Courts of Record at *Westminster*:

The Word "Oath" shall include the Affirmation of a Quaker, and other Declaration lawfully substituted for an Oath in the Case of any other Person exempted by Law from the Obligation to take an Oath:

The Word "Justice" shall mean a Justice of the Peace acting for the County, Division, or Place where the Matter requiring his Cognizance shall arise, and who shall not be interested in the Matter:

The Words "Company," "Committee," "Shareholders," and "Clerk" shall respectively mean the Company incorporated by the first-recited Act, the Committee of Management thereof, the Shareholders therein, and the principal Clerk thereof; and the Word Shareholder shall extend to any Corporation who may be or become entitled to a Share:

The Words "General Meeting" shall include all Ordinary and Extraordinary or Special Meetings of the Shareholders; and the Words "Ordinary Meeting" shall denote the half-yearly Meetings prescribed to be holden and any Adjournment thereof:

The Word "Officer" shall include any Servant of the Company, or Person intrusted by them with the Discharge of any Duty:

The Word "Lands" shall comprise Messuages, Tenements, and Hereditaments of any Tenure:

The Word "Toll" shall include any Charge or Payment for any Passenger, Animal, or Goods conveyed upon any Canal or Railway, whether for the Use of the Canal or Railway, or for moving Power, or for the Use of Carriages:

The Expression "the Railway" shall include the whole of the Railway Conveniences and Works by this Act authorized to be made, and none other, except where other Railways are expressly named:

The Word "Railways," when applied to existing Works, whether of the Company or other Persons, shall include Tramroads; and the

the Phrase "existing Canals or Railways of the Company" shall comprehend existing Canals, Railways, or Tramroads of other Persons, when and in case the same shall be rented or purchased by the Company; and the Employment of the Word "Railway" in describing any existing Tramroad shall not oblige the Company or other Owner thereof to convert the same into a Railway; and The Word "Carriage" shall comprehend Waggons and other Vehicles used for the Conveyance of Passengers, Animals, or Goods, of whatever Kind.

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

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Form of Mortgage Deed.

The Company of Proprietors of the Monmouthshire Canal Navigation.

Mortgage, Number Pounds

By virtue of [*here name this Act*] we, "The Company of Proprietors of the Monmouthshire Canal Navigation," in consideration of the Sum of Pounds paid us by *A. B.* of do assign unto the said *A. B.*, his Executors, Administrators, and Assigns, the said Undertaking, and all the Tolls and Sums of Money arising by virtue of the said Act, and the other Acts relating to the said Undertaking, and all the Estate, Right, Title, and Interest of the Company in the same, to hold unto the said *A. B.*, his Executors, Administrators, and Assigns, until the said Sum of Pounds, together with Interest for the same at the Rate of for every One hundred Pounds by the Year, be satisfied [the Principal Sum to be repaid at the End of Years from the Date hereof, *in case any Period be agreed upon for that Purpose*].

Given under our Common Seal, this Day of in the Year of our Lord

---

SCHE-

SCHEDULE (B.)

Form of Bond.

The Company of Proprietors of the Monmouthshire Canal Navigation.

Bond, Number Pounds

By virtue [*here name this Act*] we, "The Company of Proprietors of the Monmouthshire Canal Navigation," in consideration of the Sum of Pounds to us in hand paid by *A. B.* of do bind ourselves and our Successors unto the said *A. B.*, his Executors, Administrators, and Assigns, in the penal Sum of Pounds.

The Condition of the above Obligation is such, if the said Company shall pay to the said *A. B.*, his Executors, Administrators, and Assigns, on the Day of which will be in the Year One thousand eight hundred and the Principal Sum of Pounds, together with Interest for the same at the Rate of Pounds per Centum per Annum, payable half-yearly on the Day of and Day of then the above written Obligation is to become void, otherwise to remain in full Force.

Given under our Common Seal, this Day of One thousand eight hundred and .

SCHEDULE (C.)

Form of Transfer of Mortgage or Bond.

I *A. B.* of in consideration of the Sum of paid me by *G. H.* of do hereby transfer to the said *G. H.*, his Executors, Administrators, and Assigns, a certain [Bond *or* Mortgage, *as the Case may be*], Number made by "The Company of Proprietors of the Monmouthshire Canal Navigation," to bearing Date the Day of for securing the Sum of and Interest [*or, if such Transfer be by Indorsement*, the within Security], and all my Right, Estate, and Interest in and to the Money thereby secured [*and if the Transfer be of a Mortgage*, and in and to the Tolls, Money, and Property thereby assigned]. In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and .

SCHEDULE (D.)

Form of Conviction.

} BE it remembered, That on the Day of
to wit. } in the Year of our Lord
A. B. is convicted before us *A. B.* and *C. D.*, Two of Her Majesty's Justices of the Peace for the of [*here describe the Offence generally in the Terms of the creating the same, or to the like Effect, and the Time and Place when and where committed*], contrary to the [*here name this Act, or any other Act whereby the Offence was made punishable*].

Given under our Hands and Seals, the Day and Year first above written.

A. B.
C. D.

SCHEDULE (E.)

Form of Proxy.

I *A. B.*, one of the Shareholders of the Company of Proprietors of "The Monmouthshire Canal Navigation," appoint *C. D.*, of to be my Proxy, to vote in my Name upon any Matter relating to the Undertaking which may be proposed at a Meeting of the said Company to be holden on the Day of next, in such Manner as the said *C. D.* may think proper. In witness whereof I have hereto set my Hand [*or, if an incorporated Company*, the Seal of the Company is hereto affixed], the Day of .

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1845.