ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

****

Cap. lxxi.

An Act for changing the Name of the *Sirhowy* Tramroad Company to the Name "The *Sirhowy* Railway Company," and for authorizing the Company to make new Works, and to maintain and work the *Sirhowy* Line as a Railway, and to raise further Funds, and for regulating their Capital and Borrowing Powers; and for other Purposes. [25th *May* 1860.]

WHEREAS an Act (in this Act called "the Act of 1792") was passed in the Thirty-second Year of *George* the Third, Chapter 102, (Local,) intituled *An Act for making and* 32 G. 3. c. cii. *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 Stoneroads from such Cuts or Canals to several Ironworks and Mines in the Counties of* Monmouth *and* Brecknock, whereby a Company, therein called "the Company of Proprietors of the *Monmouthshire* Canal Navigation," but since and now

 called

called "the *Monmouthshire* Railway and Canal Company," and in this Act called "the *Monmouthshire* Company," were incorporated, and were authorized to make and maintain Canals and Railways or Stoneroads in the Counties of *Monmouth* and *Brecon*, and to take (Section 91) Tolls for Goods conveyed, and (Section 95) Tolls on Animals going on the Railways or Stoneroads, and (Section 104) the Canals and Railways or Stoneroads were to be open to all Persons on Payment of the Tolls; but (Section 116) as to Carriages on the Railways or Stoneroads only, if the Carriages were constructed agreeably to the Regulations of the *Monmouthshire* Company; and (Section 128) the Owners, Lessees, and Occupiers of Mines, Quarries, and Ironworks within Eight Miles from any Part of the Canals or Railways were authorized, if the *Monmouthshire* Company refused so to do, and without the Consent of the Owners of intermediate Lands, to make Railways or Waggonways, with Bridges, to communicate with the *Monmouthshire* Company's Canals or Railways: And whereas the *Monmouthshire* Company proceeded to put the Act of 1792 into execution: And whereas an Act (in this Act called "the Act of 1797") was passed in the Thirty-seventh Year of *George* the Third,

37 G. 3. c. c. Chapter 100, (Local,) intituled *An Act for extending the* Monmouthshire *Canal Navigation, and for explaining and amending an Act passed in the Thirty-second Year of the Reign of His present Majesty, for making the said Canal*, whereby the *Monmouthshire* Company were authorized to make an Extension of their Canal, with like Powers and Provisions in respect to the same as in the Act of 1792 were contained with respect to the Canals thereby authorized: And whereas the *Monmouthshire* Company proceeded to put the Act of 1797 into execution: And whereas an Act (in this Act called "the Act of 1802") was passed in the Forty-second Year of *George* the Third, Chapter 115, (Local and Personal,) intituled

42 G. 3. c. cxv. *An Act 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 present Majesty's Reign relating thereto*, whereby the *Sirhowy* Tramroad Company (in this Act called "the Company") were incorporated, and were authorized to make and maintain a Railway or Tramroad (in this Act called in some Places "the Company's Tramroad," and in other Places "the Railway") for the Conveyance of Iron, Coal, Limestone, and other Commodities from *Sirhowy* Furnaces or Ironworks along by *Tredegar* Ironworks down to the Point called the *Nine Mile Point*, with collateral Roads as Turns-out, and Landing Places, Resting Places, Fences, and other Conveniences by the Side of or adjoining to the Company's Tramroad, as they should find necessary or expedient for facilitating the Carriage and Conveyance of Goods thereon, and for repairing, preserving, maintaining, and using the same, and for those Purposes to have, use, exercise, and enjoy such and the like Ways, Passages, Powers, and

Authorities

Authorities upon, in, and over the Lands through which the Company's Tramroad should be made, in as full, ample, and beneficial Manner to all Intents and Purposes as the *Monmouthshire* Company were authorized and empowered to use, exercise, and enjoy, under and by virtue of the Act of 1792, with respect to the Canals, Railways, and other Works thereby authorized; and (Section 2) the *Monmouthshire* Company were authorized to make and maintain a Railway or Tramroad for the Conveyance of Iron, Coals, Limestone, and other Commodities from the *Nine Mile Point* (at which Point the Company's Tramroad was to terminate) to a Point on the Western Side of *Tredegar Park*, and a like Railway or Tramroad from a Point on the Eastern Side of *Tredegar Park* (the intermediate Space being One Mile) down, and so as to communicate with the *Monmouthshire* Canal Navigation and the River *Usk* at or near to *Newport*, with the Branch Railways or Tramways therein specified; and (Section 3) the Powers, Privileges, Regulations, and other Provisions of the Act of 1792 were extended to the Canals, Railways, and other Works by the reciting Act authorized; and (Section 5) the Owner of *Tredegar Park* was authorized to make and maintain a Railway or Tramroad (now called "the *Park Mile*") for the Conveyance of Iron, Coal, Limestone, and other Commodities through *Tredegar Park* between those Two Points on the Western and Eastern Sides thereof, so as to communicate with the Railways or Tramroads to be made by the *Monmouthshire* Company to and from those Points respectively; and the Powers, Privileges, Regulations, and Provisions of the Act of 1792 were also extended to the *Park Mile*; and (Sections 8, 9, and 10) special Provisions were made with respect to the Repairs of the Tramroads and the Railways and Tramroads by the reciting Act authorized; and (Section 31) the Company were restrained from taking less Tolls in the Cases therein specified for Coal or Iron than should be charged by the *Monmouthshire* Company for like Articles, but in all other Cases were authorized to take on the Company's Tramroad whatever Tolls the Company thought fit, not exceeding the Tolls taken for like Articles by the *Monmouthshire* Company on their then Canals and Railways; and the Company were required (Section 33) to pay to the *Monmouthshire* Company a yearly Sum of One hundred and ten Pounds; and were authorized (Section 36) to raise by Shares a Capital of Thirty thousand Pounds in Three hundred Shares of One hundred Pounds each; and (Section 38) to borrow not exceeding Fifteen thousand Pounds; and (Section 42) to make Byelaws and Regulations with respect to the User of the Company's Tramroad and Works, and Carriages, Animals, and Goods conveyed or passing thereon, and Persons employed in the Conveyance thereof, or otherwise going thereon: And whereas the Company, and the *Monmouthshire* Company, and the Owner of *Tredegar Park* respectively proceeded to put the Act of 1802 into execution, and they respectively accordingly made the several Portions of Railway or Tramroad thereby respectively authorized from

Sirhowy Railway Act, 1860.

Sirhowy Furnaces to the *Nine Mile Point*, and from the *Nine Mile Point* to the Western Side of *Tredegar Park*, and across that Park from the Western to the Eastern Sides thereof, and from the Eastern Side thereof to *Newport*, and those Portions of Railway or Tramroad were so made as a continuous Line from *Sirhowy* Furnaces to *Newport*: And whereas an Arrangement was made between the Company and the *Monmouthshire* Company, by virtue of which the Liability of the Company to pay the yearly Sum of One hundred and ten Pounds to the *Monmouthshire* Company has ceased: And whereas by "The *Newport and Pontypool* Railway Act, 1845," (Section 110,) the *Monmouthshire* Company were required to adapt their then existing Railways for the convenient Passage of Locomotive Engines, and (Section 111) the Owner of the *Park Mile* was required to adapt it for the convenient Passage of Locomotive Engines; and (Section 121) the Tolls to be taken on the Railways by the recited Acts authorized were limited; and (Section 128) the *Monmouthshire* Company were required to carry, as common Carriers for Hire, on their own Railways, by means of Locomotive Engines, all Passengers, Animals, and Goods; and (Section 137) the *Monmouthshire* Company were authorized to agree with the Owners of Railways communicating with any Railways of the *Monmouthshire* Company for the Passage thereon respectively of Engines and Carriages; and (Section 144) the Rights of the Company were saved consistently with the Enactments of the reciting Act: And whereas by "The *Newport and Pontypool* Railway Amendment Act, 1848," the Name of the *Monmouthshire* Company was changed to their present Name, and (Section 13) the User on any of the Railways or Tramroads on which the *Monmouthshire* Company were by "The *Newport and Pontypool* Railway Act, 1845," bound to become Carriers, of any locomotive Power, except such as should be provided by or for them, or used with their Consent, was prohibited, and they were required to provide Engines, and therewith to lead thereon the Mineral Carriages, Trucks, and Waggons of all Persons requiring them so to do, and to convey back without Charge the empty Carriages, Trucks, and Waggons: And whereas by "The *Monmouthshire* Railway and Canal Act, 1852," the recited Sections 110 and 128 of the Act of 1845 were repealed: And whereas by "The *Monmouthshire* Railway and Canal Act," 1853," the *Monmouthshire* Company were authorized (Section 41) to convert their Tramroads into Railways, and (Section 42) to convert the *Park Mile* into a Railway; and until the Company's Tramroad should be converted into a Railway the *Monmouthshire* Company were required (Section 43) to convey Carriages with combined Wheels, adapted for running both on Railways and on Tramroads along the Railways which by the reciting Act they were authorized to substitute for Tramroads, the Carriages being constructed according to the Regulations of the *Monmouthshire* Company: And whereas in pursuance of the recited Acts in that Behalf a continuous Line of Tramroad from *Sirhowy* Furnaces to the *Nine Mile Point*, and thence to the Western Side of *Tredegar*

8 & 9 Vict. c. clxix.

11 & 12 Vict. c. cxx.

15 & 16 Vict. c. cxxvi.

16 & 17 Vict. c. cxcv.

Tredegar Park, and thence across the Park to the Eastern Side thereof, and thence to *Newport*, was made: And whereas the Part of that continuous Line between *Nine Mile Point* and *Newport* has been converted into and is now used as a Railway, and the other Part thereof is in course of Conversion into a Railway by the Company, at great additional Cost to them: And whereas the Traffic on that continuous Line is led by Locomotive Engines provided for the Purpose between *Sirhowy* Furnaces and the *Nine Mile Point* by the Freighters, and between that Point and *Newport* by the *Monmouthshire* Company: And whereas that Traffic between *Sirhowy* Furnaces and *Risca* does not include any Passenger Traffic: And whereas it is expedient that the Company be authorized to extend and improve the Railway, and in order thereto to make such Deviations from and Alterations of the Line thereof, and such Deviations and Alterations of Roads and other Works as are by this Act authorized: And whereas many Years since the Company made on their own Lands, between the Fences and on One Side of the Company's Tramroad, a Carriageroad from *Tredegar* Ironworks to the *Nine Mile Point*: And whereas divers Houses have been built on the Sides of and immediately adjoining to and opening on the Company's Lands on which the Company's Tramroad and their Carriageroad were made, and Access to those Houses is obtained on the one Side by means of the Company's Carriageroad, and on the other Side by means of the Company's Lands on which the Company's Tramroad was made: And whereas so long as Horse Power alone was used on the Company's Tramroad no great Inconvenience arose to the Company or to the Public by the User of the Lands of the Company for the Purpose of that Access, but Inconveniences both to the Public and to the Company have been occasioned by such User since Locomotive Engines have been used, and especially by reason that in order to effect the Conversion of the Company's Tramroad into a Railway the Company were obliged to lay the Rails for the Railway on some Parts of their Carriageroad: And whereas One of the Diversions by this Act authorized of the Line of the Railway will render it unnecessary for the Company to interfere any further with their Carriageroad at *Blackwood*: And whereas it is expedient that the Company be authorized to make, partly on the Site of their Carriageroad and Tramroad, and partly on other Lands to be purchased by them, the Carriageroad by this Act authorized, and to dedicate the same to the Public: And whereas it is expedient that the Company be authorized to discontinue the User of such Parts of the Railway as will become needless by reason of the Deviation Lines of Railway made under the Authority of this Act: And whereas it is expedient that the Company be authorized to maintain the Railway as a Railway for the Conveyance of Passengers, as well as of Animals and Things, and to work and use the same accordingly: And whereas Plans and Sections showing the Lines and Levels of the Railways and Works by this Act authorized to be executed by the Company, and the Lands to be taken for the Pur-

poses thereof, and Books of Reference to those Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of those Lands, have been deposited with the respective Clerks of the Peace for the Counties of *Monmouth* and *Brecon*, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas it is expedient that the Owners of the *Trevil* Tramroad be authorized to convert it into a Railway, and to connect it with the Company's Railway: And whereas it is expedient that the Company and the *Newport, Abergavenny, and Hereford* Railway Company, and also the Company and the *Merthyr, Tredegar, and Abergavenny* Railway Company respectively, be authorized to make such working Traffic and other Arrangements as are by this Act authorized: And whereas in pursuance of Section 36 of the Act of 1802 the Company raised by Shares and expended on their Undertaking the Sum of Thirty thousand Pounds thereby authorized to be raised by Shares, but they have not exercised their Power of borrowing under that Act: And whereas it is expedient that the Company be authorized to raise by new Shares and by borrowing further Funds for defraying the Cost of the Conversion of their Tramroad into a Railway, and of their new Works by this Act authorized, and for other the Purposes of their Undertaking: And whereas it is expedient that further Provisions be made with respect to the Company and their Undertaking: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. This Act may for all Purposes be cited as "*Sirhowy* Railway Act, 1860."

8 & 9 Vict. cc. 16, 18, & 20. incorporated.

II. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," (save so far as any of the Sections and Provisions of those Acts respectively are expressly excepted or varied by this Act,) are incorporated with this Act, and apply to the Company and their Undertaking.

Same Meanings to Words in incorporated Acts as in this Act.

III. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context; and for the Purposes of this Act the Expression "the Railway" in "The Railways Clauses Consolidation Act, 1845," incorporated with this Act, and in this Act, applies to the whole of the Railway and Works by this

this Act authorized to be maintained, and to be made and maintained respectively by the Company; and the Words "Shares" and "Shareholders" in "The Companies Clauses Consolidation Act, 1845," incorporated with this Act, and in this Act, include "Stock" and "Stockholders."

Certain Sections of 42G.3.c.cxv. repealed.

IV. On the passing of this Act the following Sections of the Act of 1802 are by this Act wholly repealed; (that is to say,)

Sections 31 and 32, with respect to Tolls to be taken by the Company:

Section 33, with respect to the yearly Sum of One hundred and ten Pounds:

Sections 36 to 41, both inclusive; and 48, with respect to the Company's Capital and Borrowing Powers:

Section 46, with respect to Meetings of the Company and their Committee of Management.

Alteration of Name of Company.

V. After the passing of this Act the Name of the Company shall not be the Name "The *Sirhowy* Tramroad Company," but shall be the Name "The *Sirhowy* Railway Company."

Recited Acts, &c. to be read and have effect accordingly.

VI. The recited Acts and all other Acts, and all Deeds and Instruments in which the Company are named by their original Name, shall, after the passing of this Act, be read and construed and have effect as if the Company were named therein by their Name under this Act, instead of by their original Name.

General Saving of Rights under recited Instrument.

VII. Notwithstanding the Repeal of those Sections and the Change of the Company's Name, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done, suffered, and confirmed respectively, under or by virtue of the recited Acts relating to the Company, shall be as valid as if the Repeal and Change of Name had not happened, and the Repeal and Change of Name and this Act respectively shall accordingly be subject and without Prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the Repeal and Change of Name had not happened, would be incident to or consequent on any and every thing so done, suffered, and confirmed respectively; and with respect to all those Rights, Liabilities, Claims, and Demands, the Company, by their Name "The *Sirhowy* Railway Company," shall be liable, in the same Manner and to the same Extent as the Company by their Name "The *Sirhowy* Tramroad Company:" Provided always, that the Generality of this Provision shall not be restricted by any of the other Sections and Provisions of this Act.

Provisions of other Acts continued.

VIII. Notwithstanding the Repeal and Change of Name, and except as is by this Act otherwise provided, all the Provisions of any and every Act

Act of Parliament, other than the repealed Sections of the recited Acts relating to the Company and their Directors, Officers, and Servants respectively, and on the passing of this Act in force, shall be of the like Force as if the Repeal and Change of Name had not happened, and may be exercised, enforced, and enjoyed by and against the Company and their Directors, Officers, and Servants respectively in as full and beneficial a Manner to all Intents as the same respectively might if the Repeal and Change of Name had not happened, save only that the Company's Name under this Act shall, where necessary, be substituted for their original Name.

Repeal of Exemption from rating.

IX. Provided always, That from and after the Expiration of Three Years after the passing of this Act the Railway and other Property of the Company to which the recited Acts and this Act respectively relate shall be rated to all Parochial Rates and Assessments according to Law in the ordinary Manner, and not upon any special Principle.

Contracts, &c. preserved.

X. Notwithstanding the Repeal and Change of Name, all Purchases, Sales, Conveyances, Securities, and Contracts before the passing of this Act made, under any Section by this Act repealed, or with respect to the Purposes thereof, or by, to, or with respect to the Company by their original Name, shall be as effectual to all Intents as if the Repeal and Change had not happened, and shall be effectual accordingly with respect to the Company as if the same had been made by, to, or with respect to the Company by their Name under this Act, instead of their original Name, and may be proceeded on and enforced in like Manner to all Intents as if the Company had been party or privy thereto, or referred to therein by their Name under this Act.

Actions, &c. not to abate.

XI. Notwithstanding the Repeal and Change of Name, any Action, Suit, Prosecution, or other Proceeding commenced either by or against the Company before the passing of this Act shall not abate or be discontinued or prejudicially affected by the Repeal or Change of Name, but, on the contrary, shall continue and take effect, both in favour of and against the Company, in like Manner to all Intents as if the Repeal and Change of Name had not happened, save only that the Name of the Company under this Act shall be substituted therein for their original Name.

Certificates and Transfers of Shares to remain in force.

XII. Notwithstanding the Repeal and Change of Name, the Certificates of the Three hundred Shares of the Company's present Capital of Thirty thousand Pounds shall remain in force, and be available in all respects, unless and until new Certificates instead thereof are issued by the Company, and all Transfers of those Shares, or any of them, shall remain in force, and be available in all respects.

XIII. Not-

Tolls, &c. to be paid.

XIII. Notwithstanding the Repeal and Change of Name, all Tolls, Fares, Rates, or Charges immediately before the passing of this Act due and payable or accruing to the Company shall be payable to and may be collected and recovered by the Company in like Manner as any Tolls, Fares, Rates, or Charges under this Act.

Debts to be paid.

XIV. Notwithstanding the Repeal and Change of Name, all Persons who immediately before the passing of this Act owed any Money to the Company, or to any Person on their Behalf, shall pay the same to the Company, and all Moneys which immediately before the passing of this Act were owing by or recoverable from the Company, or for the Payment of which they were, or but for the Repeal or Change of Name would be liable, shall be paid, with all Interest (if any) due and payable or accruing for the same, by or be recoverable from the Company.

First and other Meetings under Act.

XV. The next Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings shall be held half-yearly in the Months of *February* and *August* in every Year, or in such other Months as the Company at an Extraordinary Meeting from Time to Time determine.

Number and Qualification of Directors.

XVI. The Number of Directors shall be Four, and the Qualification of a Director shall be his holding ordinary Stock or ordinary Shares, or both, to the nominal Amount or aggregate nominal Amount of One thousand Pounds.

First Directors.

XVII. *Samuel Homfray*, *Watkin Homfray*, *Rowland Fothergill*, and *William Henry Forman* shall be the First Directors of the Company, and shall remain in Office until they respectively cease, according to the Provisions of this Act, to be Directors.

Rotation of Directors.

XVIII. The Directors appointed by this Act shall continue in Office until they retire from Office in rotation as follows; (that is to say,) at the First Ordinary Meeting of the Company in the Year One thousand eight hundred and sixty-one Two of the Directors appointed by this Act shall retire from Office, and at the First Ordinary Meeting of the Company in the Year One thousand eight hundred and sixty-two the other Two of the Directors appointed by this Act shall retire from Office, and at the First Ordinary Meeting of the Company in every subsequent Year such Two of the Directors as shall have been longest in Office shall retire from Office, the Individuals to retire in the first instance being determined by Lot among the Directors, unless they otherwise agree; and in every Instance the Places of the retiring Directors shall be supplied by an equal Number of qualified Shareholders, the retiring Directors, if qualified, being re-eligible.

Quorum of a Meeting.

XIX. The Quorum of a Meeting of Directors shall be Three.

Newspaper for Advertisements.

XX. The Newspaper for Advertisements of the Affairs of the Company shall be any Newspaper published in the County of *Monmouth*.

Power to take and use Lands for the Purposes of Railways and Works.

XXI. For the Purposes of the Railways and Works shown on the deposited Plans, and by this Act authorized to be made by the Company, and also for the general Purposes of carrying this Act into effect, the Company from Time to Time may use such of their Lands, and such of the Lands as they from Time to Time acquire, as they think fit, and subject to the Provisions of this Act the Company from Time to Time may enter upon, take, and use such of the Lands shown on the deposited Plans, and specified in the deposited Books of Reference thereto, as they think requisite for any of the Purposes of this Act, or may (but only by Agreement) purchase, take, and use any Rights, Easements, or Privileges in or affecting those Lands or any of them, and, if they so think fit, without taking any other Estate or Interest therein.

Powers for compulsory Purchases limited.

XXII. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years after the passing of this Act.

Lands for extraordinary Purposes.

XXIII. The Company from Time to Time may acquire by Agreement for any of the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," incorporated with this Act, such Lands as they think expedient, adjoining or near to the Railways and Works by this Act authorized, and not exceeding in the whole Five Acres.

Powers to make Works authorized by Act.

XXIV. Subject to the Provisions of this Act, the Company from Time to Time may make in the Lines and according to the Levels and in and upon the Lands respectively shown on the deposited Plans and Sections, and within the Limits of Deviation shown thereon respectively, the several Lines of Railway and other Works by this Act authorized.

The Lines of Railway and Works authorized by Act.

XXV. The Lines of Railway and other Works shown on the deposited Plans and Sections, which the Company are by this Act authorized to make and maintain, comprise the following Works, with all requisite Conveniences connected therewith respectively; (that is to say,)

First. The Diversion of the Parish Road from *Machen* to *Mynydd-yslwyn*, at or near to the Ten Mile Post from *Newport* on the Railway, so as to carry that Parish Road under the Railway, all in the Parish of *Machen*:

Secondly. A Deviation Line of Railway, commencing by a Junction with the Railway at or near to the Eleven Mile Post from *Newport* thereon, in the Parish of *Machen*, and terminating by a Junction therewith

therewith at or near to the Twelve and Three Quarters Mile Post thereon, all in the Parish of *Mynyddyslwyn:*

Thirdly. A Deviation Line of Railway, commencing by a Junction with the Railway at or near to the Twelve and Three Quarter Mile Post thereon, and terminating by a Junction therewith at or near to the Thirteen and a Quarter Mile Post thereon, all in the Parish of *Mynyddyslwyn:*

Fourthly. A Junction Railway, commencing from and out of the Railway at or near to the Twelve and Three Quarter Mile Post thereon, and terminating by a Junction with the *Newport, Abergavenny, and Hereford* Railway, near to the Eastern End of the Tunnel on that Railway nearest to the *Tredegar* Junction Station, all in the Parish of *Mynyddyslwyn:*

Fifthly. A Deviation Railway, commencing by a Junction with the Railway at or near to the Thirteen and a Half Mile Post thereon, in the Parish of *Mynyddyslwyn*, and terminating by a Junction therewith at or near to the Fourteen and Three Quarter Mile Post thereon, in the Parish of *Bedwellty*, all in the Parishes of *Mynyddyslwyn* and *Bedwellty:*

Sixthly. A Deviation Railway, commencing by a Junction with the Railway at or near to the Fifteen Mile Post thereon, and terminating by a Junction therewith at or near to the Sixteen and Three Quarter Mile Post thereon, all in the Parish of *Bedwellty:*

Seventhly. A Deviation Railway, commencing by a Junction with the Railway at or near to the Seventeen Mile Post thereon, and terminating by a Junction therewith at or near to the Eighteen and a Quarter Mile Post thereon, all in the Parish of *Bedwellty:*

Eighthly. A Deviation Railway, commencing by a Junction with the Railway at or near to the Eighteen and a Quarter Mile Post thereon, and terminating at or near to the present Northern Termination of the Railway, all in the Parish of *Bedwellty:*

Ninthly. An Extension Railway, commencing by a Junction with the Railway at or near to the present Northern Termination thereof in the Parish of *Bedwellty*, and terminating by a Junction with the authorized Line of the *Merthyr, Tredegar, and Abergavenny* Railway at or near to a Point on that Railway distant about a Quarter of a Mile from the authorized Termination of that Railway, at or near to *Nantybwch* in the Parish of *Llangynider* in the County of *Brecon*, all in the Parishes of *Bedwellty* and *Llangynider* and Counties of *Monmouth* and *Brecon:*

Tenthly. A Diversion of the Turnpike Road from *Merthyr* to *Abergavenny*, commencing at or near to the Point where that Road communicates with the Town of *Tredegar*, and terminating at or near to *Sirhowy House*, all in the Parish of *Bedwellty:*

Eleventhly. The making of a public Carriageroad of the Width of Fifteen Feet at the least throughout, commencing from a Point at or near

near to the Thirteen and a Half Mile Post on the Railway in the Parish of *Mynyddyslwyn*, and terminating at or near to the Sixteen and a Half Mile Post on the Railway, in the Parish of *Bedwellty*, so as to carry that public Carriageroad wholly on the Western Side of the present Site of the Railway of the Company, and so that from and for ever after the making thereof it may be dedicated to the Use of the Public, and be a public Carriageroad accordingly, all in the Parishes of *Mynyddyslwyn* and *Bedwellty*:

Twelfthly. The carrying of the Deviation Lines of Railway and Deviation Railways respectively, or some of them, partly along or over the Lines of the present Roads of the Company:

All which Lines of Railway and Works will be made in the Parishes and Places following, or some of them; (that is to say,) *Machen*, *Machen Upper*, *Machen Lower*, *Mynyddyslwyn*, and *Bedwellty*, all in the County of *Monmouth*, and *Llangynider* in the County of *Brecon*.

Level Crossing.

XXVI. Subject to the Provisions of this Act, the Company may carry the Lines of Railway across and on the Level of the Road numbered on the deposited Plans 55 in the Parish of *Mynyddyslwyn*: Provided that, until the Company lay down a double Line of Railway on that Portion of the Railway which crosses that Road, not more than a single Line, and afterwards not more than a double Line of Railway, shall be laid by the Company across that Road: Provided also, that in shunting any Engine, Carriage, Truck, or Train to or from any Siding near to the level Crossing, such Engine, Carriage, Truck, or Train shall not pass over the level Crossing, and no Train shall stand across the level Crossing.

Company to erect a Station or Lodge at Point of Crossing, and abide by Rules, &c. of Board of Trade.

XXVII. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or a Lodge at the Point where the Railway crosses that Road on the Level; and the Company shall be subject to and abide by all such Rules and Regulations with respect to the crossing of that Road on the Level, or with respect to the Speed at which Trains shall pass that Road, as are from Time to Time made by the Board of Trade; and if the Company fail to erect or at all Times maintain such Station or Lodge, or to appoint a proper Person to watch and superintend the level Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day the Offence continues after the Penalty of Twenty Pounds is incurred.

Bridges instead of level Crossings.

XXVIII. The Board of Trade, if it appear to them necessary for the public Safety, may at any Time, either before or after the Lines of Railway are complete and opened for public Traffic, require the Company, within such Time as the Board of Trade direct, and at the Expense of the Company, to carry the said Road either under or over the Railway by means of

of a Bridge or Arch, instead of crossing the same on the Level, or to execute such other Works as, under the Circumstances, appear to the Board of Trade best adapted for removing or diminishing the Danger arising from such level Crossing.

Inclination of Roads.

XXIX. In carrying the several Roads numbered on the deposited Plans as follows over, under, or across the Railway the Company may make the Inclination of those Roads respectively as steep or not steeper than as follows; (that is to say,)

Parish.	Description of Road.	Greatest present Inclination.	Greatest proposed Inclination.
Machen.	Public Road, No. 9.	1 in 7.	1 in 12.
Mynyddyslwyn.	Public Road, No. 6.	1 in 4.	1 in 7.
Mynyddyslwyn.	Public Road, No. 27.	1 in 7.	1 in 7.
Mynyddyslwyn.	Public Road, No. 33.	1 in 4.	1 in 7.
Bedwellty.	Public Road, No. 158.	1 in 5.	1 in 6.
Bedwellty.	Public Road, No. 202.	1 in 9.	1 in 11.
Bedwellty.	Public Road, No. 300.	1 in 6.	1 in 18.
Bedwellty	Public Road, No. 410.	1 in 13.	1 in 20.

Width of Bridges.

XXX. In carrying the several Roads numbered on the deposited Plans as follows under or over the Railway the Company may make the Bridges for carrying those Roads under or over the Railway of any Width not less than as follows; (that is to say,)

Parish.	Description of Road.	Width of Bridges.
	UNDER.	
Machen.	Public Road, No. 9.	Fifteen Feet.
Mynyddyslwyn.	Public Road, No. 6.	Fifteen Feet.
Mynyddyslwyn.	Public Road, No. 33.	Fifteen Feet.
Bedwellty.	Public Road, No. 28.	Fifteen Feet.
Bedwellty.	Public Road, No. 107.	Fifteen Feet.
Bedwellty.	Public Road, No. 158.	Fifteen Feet.
Bedwellty.	Public Road, No. 202.	Fifteen Feet.
Bedwellty.	Public Road, No. 300.	Fifteen Feet.
	OVER.	
Mynyddyslwyn.	Public Road, No. 27.	Fifteen Feet.

And the clear Height of the Arch of the Bridge to be erected for carrying the Railway over the said Road, Number 158 in the Parish of *Bedwellty*, may be any Height not less than Twelve Feet: Provided always, that nothing in this Act contained shall defeat the Operation of the Provisions of "The Railways Clauses Consolidation Act, 1845," requiring the Company to increase the Width of the said Bridges if the average available

Width of the Road be increased beyond the Width of any of such Bridges on either Side thereof.

Gauge of Railway.

XXXI. The Company shall make and maintain the Lines of Railway by this Act authorized on the Narrow Gauge of Four Feet Eight Inches and a Half, being the same Gauge as the Gauge of the other Parts of the Railway, and of the Lines of Railway from *Nine Mile Point* to *Newport*, and so as to admit of the whole being used as One continuous Line of Railway on the same Gauge from *Sirhowy* Furnaces to *Newport*.

Company to make Stations West of River Sirhowy, and at Blackwood.

XXXII. The Company shall make and maintain a Passenger Station for *Tredegar* and *Sirhowy*, on the Western Side of the River *Sirhowy*, with proper and sufficient Means of Communication between that Station and the Turnpike Road leading from *Abergavenny* to *Merthyr Tydfil*, and shall make and maintain a Passenger Station at *Blackwood* on the Railway there.

Railway to be fenced before opening.

XXXIII. The Company shall, before they open any Part of the Railway for the Conveyance of Passengers, erect and shall at all Times after the Erection thereof maintain good and sufficient Fences throughout the respective Part of the Railway.

Period for Completion of Works.

XXXIV. The Lines of Railway shown on the deposited Plans, and by this Act authorized to be made by the Company (except the Extension Railway by this Act authorized and ninthly described in this Act), shall be completed within Three Years after the passing of this Act; and such Extension Railway shall be completed on or before the First Day of *August* One thousand eight hundred and sixty-four; and on the Expiration of those Periods respectively the Powers of the Company for making the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as is then so completed.

To abandon Extension Railway, if Merthyr, &c. Railway not made.

XXXV. Provided always, That if the authorized *Merthyr*, *Tredegar*, *and Abergavenny* Railway be not completed on or before the First Day of *August* One thousand eight hundred and sixty-four, the Company may abandon the making of the said Extension Railway.

Dividends suspended until Railways completed.

XXXVI. Except as by this Act is otherwise provided with respect to the Extension Railway ninthly described, if the Lines of Railway by this Act authorized be not completed and opened for public Traffic at the Expiration of the Period limited for the Completion thereof, no Dividend shall be paid on the ordinary Capital of the Company after the Expiration of that Period until those Lines of Railway are completed and opened for public Traffic.

XXXVII. The

Company may discontinue User of Parts of Railway rendered needless by Deviations.

XXXVII. The Company may stop up and discontinue the User as a Railway of such Parts of the Company's present Railway or Tramroad and Works as by reason of the making of the new Lines of Railway and Works by this Act authorized, or any of them, become needless, and may sell or dispose of as superfluous Lands so much of the Sites thereof as they do not require for Siding or other Accommodation: Provided always, that the Company shall not stop up or discontinue that Portion of the Railway in the Parish of *Bedwellty* (for which the sixthly described Railway is intended to be a Substitute) which lies between the *Forest Branch* Tramroad and the Railway at the nearest Point of Junction thereof with the Railway Southward of the *Forest Branch* Tramroad: Provided also, that the *Forest Branch* Tramroad shall not be worked by the Owners or Lessees thereof otherwise than by Horse Haulage.

But to make Road at Argoed.

XXXVIII. Provided always, That the Company shall, within Twelve Months from the passing of this Act, make and effectually fence off and dedicate to public Use as a public Highway the Road in this Act eleventhly described.

Saving for User of Part of that Road.

XXXIX. Provided always, That so much of the Lands of the Company as lie between *Argoed* and the Point at which the Turnpike Road crosses the *Newport, Abergavenny, and Hereford* Railway, near to the *Tredegar* Junction Station thereon, as is now used as a Footway or Bridleway or Carriageway, may be used in like Manner until the Company open for public Use the Carriageroad which they are by this Act required to make.

Owners of Trevil Tramroad may convert Tramroad into Railway and make Junctions with Railway.

XL. The Owners of the *Trevil* Tramroad may convert their Tramroad into a Railway of the same Gauge as the Railway of the Company, and may make and maintain all necessary Junctions with the Railway, and do all Things necessary for forming continuous and complete Communication between their Tramroad so converted into a Railway and the Railway; and the Company shall afford to the Owners of the *Trevil* Tramroad all proper Facilities for these Purposes, without any Charge for the same: Provided always, that the Junctions shall be made, repaired, and maintained by those Owners at their own Expense, and under the Superintendence and to the Satisfaction of the Company's Engineer.

Company to permit Ebbw Vale Iron Company to make Two Junctions.

XLI. The Company shall permit the *Ebbw Vale* Company to make and maintain on their own Lands below *Sirhowy* Furnaces Two Junctions of their own Railways or Tramroads with the Railway, and shall afford to them all proper Facilities for the Purpose; and those Junctions shall be made at such Points as their Engineer and the Company's Engineer agree on, or, failing Agreement between them, as an Engineer appointed at their or either of their Request by the Board of Trade determines:

determines: Provided always, that those Junctions shall be made, repaired, and maintained by the *Ebbw Vale* Company at their own Expense, and under the Superintendence and to the Satisfaction of the Company's Engineer.

Company not to take Lands of Ebbw Vale Company without consent.

XLII. Except only so far as is requisite for the Purposes of the Diversion of Road by this Act authorized, and tenthly described in this Act, the Company shall not, without the previous Consent in Writing of the Owners thereof, take or use under the Authority of this Act any Lands on the Eastern Side of the River *Sirhowy* higher up that River than the Northernmost Point below the present Northern Termination of the Railway at which the River will be crossed by the Railway.

Junction with the Newport, Abergavenny, and Hereford Railway, to be made under the Direction of their Engineer.

XLIII. All Communications between the Railway and the Line of the *Newport, Abergavenny, and Hereford* Railway Company, and all such Openings in the Ledges or Flanches of that Line as may be necessary or convenient for effecting such Communication, shall be made and maintained at the sole Expense of the Company, but under the Direction and Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the *Newport, Abergavenny, and Hereford* Railway Company; or in case that Company shall have no Engineer for the Time being, or their Engineer and the Engineer for the Time being of the Company cannot agree as to the Mode of constructing any such Communication or Opening, then such Communication or Opening shall be made in such Manner as shall be directed by an Engineer to be appointed for that Purpose by the Board of Trade on the Application of either Company, and the Remuneration of the Engineer so appointed shall be paid by the Company.

Signals, &c. to be erected, &c. and Persons appointed by the Newport, Abergavenny, and Hereford Railway Company.

XLIV. The *Newport, Abergavenny, and Hereford* Railway Company may from Time to Time erect such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Switchmen, and other Persons, as may be necessary for the Prevention of Danger or Obstruction to or Interference with Traffic at or near to the Junction between their Line of Railway and the Railway; and the working and Management of those Signals, Works, and Conveniences shall be under the exclusive Management and Regulation of the *Newport, Abergavenny, and Hereford* Railway Company; and all the Costs and Expenses of erecting and maintaining those Signals, Works, and Conveniences, and the Wages of such Watchmen, Switchmen, and other Persons, shall at the End of every Half Year be repaid by the Company to the *Newport, Abergavenny, and Hereford* Railway Company; and in default of such Repayment, the Amount of such Costs, Expenses, and Wages may be recovered by the same Company from the Company in any Court of competent Jurisdiction.

XLV. Nothing

Not to take or interfere with the Works of the said Railway Company.

XLV. Nothing in this Act or in the Acts incorporated herewith contained shall authorize or enable the Company to take or enter upon any of the Lands belonging to the *Newport, Abergavenny, and Hereford* Railway Company, or to alter, vary, or interfere with the Railway of that Company, or any of the Works thereof, further or otherwise than is necessary for conveniently effecting the Purposes of this Act.

Sect. 43 of 16 & 17 Vict. c. cxcv. repealed as to Traffic from Railways hereby authorized.

XLVI. From and after the Expiration of Six Months after the opening for public Traffic of the Railway as by this Act authorized, so much of Section 43 of "The *Monmouthshire* Railway and Canal Act, 1853," as requires the *Monmouthshire* Company to convey Carriages with combined Wheels adapted for running both on Railways and on Tramroads along the Railways which by that Act they were authorized to substitute for Tramroads, including the *Park Mile*, shall, with respect to all Carriages passing to or from the Railway and the Lines of the *Monmouthshire* Company, be repealed, but this Enactment shall not apply to Traffic from the *Penllwyn* Tramroad until that Tramroad shall be converted into a Railway.

Sect. 104 of 32 G. 3. c. cii. authorizing Persons on Foot or on Horseback to use Company's Tramroad, repealed.

XLVII. So much of Section 104 of the Act of 1792 as authorizes any of the Railways or Roads or Lands of the Company to be passed over or used contrary to or otherwise than in accordance with the Provisions of the General Act for regulating Railways, of the Session of the Third and Fourth Years of Her present Majesty, Chapter 97, and "The Railways Clauses Consolidation Act, 1845," incorporated with this Act, or of any other General Act from Time to Time in force and applicable to the Railway, is, with respect to the Railways and Roads and Lands of the Company to which that Section applies, but not further or otherwise, by this Act repealed.

Tolls.

XLVIII. The Company may demand and take with respect to the Railway any Tolls not exceeding the following; (to wit,)

Tonnage on Articles of Merchandise.

In respect of the Tonnage of all Articles conveyed on the Railway, or on any Part thereof, and included within the following Classes, any Tolls not exceeding the following, (to wit,)

Class 1. For Dung and all Sorts of Manure, Chalk, and all undressed Materials for the Repair of Roads or Highways, for the Use of the Railway, One Halfpenny a Ton a Mile; and if conveyed in a Carriage provided by the Company, an additional One Eighth of a Penny a Ton a Mile; and if propelled by an Engine provided by the Company, a further Three Eighths of a Penny a Ton a Mile:

Class 2. For all Coals, Coke, Culm, Ironstone, and Iron Ore, for the Use of the Railway, One Halfpenny a Ton a Mile; and if conveyed in a Carriage provided by the Company, an additional One Eighth of a Penny a Ton a Mile; and if propelled by an Engine

provided by the Company, a further Three Eighths of a Penny a Ton a Mile:

Class 3. For all Charcoal, Limestone, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, and Sand, for the Use of the Railway, One Penny a Ton a Mile; and if conveyed in a Carriage provided by the Company, an additional One Eighth of a Penny a Ton a Mile; and if propelled by an Engine provided by the Company, a further Three Eighths of a Penny a Ton a Mile:

Class 4. For all Iron, Lead, Tin, and Tin Plates (except Nails, Utensils, or other Articles of Merchandise,) for the Use of the Railway, One Penny a Ton a Mile; and if conveyed in a Carriage provided by the Company, an additional One Eighth of a Penny a Ton a Mile; and if propelled by an Engine provided by the Company, a further Three Eighths of a Penny a Ton a Mile:

Class 5. For all other Goods, Wares, Merchandise, Articles, Matters, or Things (except Carriages by this Act otherwise provided for), for the Use of the Railway, Twopence a Ton a Mile; and if conveyed in a Carriage provided by the Company, a further One Halfpenny a Ton a Mile; and if propelled by an Engine provided by the Company, a further One Halfpenny a Ton a Mile:

Class 6. 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), for the Use of the Railway, Fivepence a Mile; and if conveyed on a Truck or Platform provided by the Company, an additional Twopence a Mile; and if propelled by an Engine provided by the Company, a further Twopence a Mile; and One Penny Halfpenny a Mile additional for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton, which the Carriage weighs:

Tolls for Animals.

In respect of Animals conveyed in Carriages upon the Railway, as follows; any Tolls not exceeding the following; (to wit,)

Class 7. For every Horse, Mule, Ass, or other Beast of Draught or Burden, Ox, Cow, Bull, or Head of Neat Cattle, conveyed in or upon any such Carriage, for the Use of the Railway, Threepence a Mile; and if conveyed in or upon a Carriage provided by the Company, an additional One Penny a Mile; and if propelled by an Engine provided by the Company, an additional One Penny a Mile:

Class 8. For every Calf, Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, for the Use of the Railway, One Penny a Mile; and if conveyed in a Carriage provided by the Company, an additional One Farthing a Mile; and if propelled by an Engine provided by the Company, an additional One Penny a Mile:

In respect to Passengers conveyed in Carriages upon the Railway, as follows: Tolls for Passengers.

For every Person conveyed in or upon any such Carriage, for the Use of the Railway, Twopence a Mile; and if conveyed in or upon a Carriage provided by the Company, an additional One Penny a Mile; and if propelled by an Engine provided by the Company, an additional One Penny a Mile.

XLIX. The following Provisions and Regulations apply to the fixing of the Tolls; (that is to say,) Regulations as to Tolls.

For Passengers, Animals, or Things conveyed on the Railway for a less Distance than Four Miles, the Company may demand Tolls as for Four Miles: Distance.

For every Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Animals and Things for the 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, the 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: Fraction of a Mile.

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

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

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

L. With respect to small Parcels and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may demand the Tolls following; (to wit,) Tolls for small Parcels and single Articles of great Weight.

For the Carriage of small Parcels on the Railway or any Part thereof, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Fourpence:

For any Parcel exceeding Seven Pounds in Weight, but not exceeding Fourteen Pounds in Weight, Sixpence:

For any Parcel exceeding Fourteen Pounds in Weight, but not exceeding Twenty-eight Pounds in Weight, Ninepence:

For any Parcel exceeding Twenty-eight Pounds in Weight, but not exceeding Fifty-six Pounds in Weight, One Shilling:

And for Parcels exceeding Fifty-six Pounds in Weight, but not exceeding Five hundred Pounds in Weight, the Company may demand any reasonable Sum which they think fit:

Provided 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 that Term applies only to single Parcels in separate Packages:

For the Carriage of any single Article, the Weight of which, including the Carriage, exceeds Four Tons, but does not exceed Eight Tons, the Company may demand for the Use of the Railway any Sum not exceeding Sixpence a Ton a Mile:

And if conveyed on a Carriage or Truck provided by the Company, an additional Threepence a Ton a Mile; and if propelled by an Engine provided by the Company, a further Threepence a Ton a Mile:

For the Carriage of any single Article, the Weight of which, with the Carriage, exceeds Eight Tons, the Company may demand such Sum as they think fit.

Maximum Charges for Goods and Animals.

LI. The maximum Rates of Charge to be made by the Company for the Conveyance of Animals and Things respectively included in the Classes One to Eight, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expense incidental to the Conveyance, shall not exceed the Amounts following; (to wit,)

For the Things mentioned in Classes One and Two, One Penny a Ton a Mile:

For the Things mentioned in Classes Three and Four, One Penny Halfpenny a Ton a Mile:

For the Things mentioned in Class Five, Threepence a Ton a Mile:

For any Carriage mentioned in Class Six, not weighing more than One Ton, not exceeding Sixpence a Mile; and if weighing more than One Ton, not exceeding One Penny Halfpenny a Mile for every Quarter of a Ton, or fractional Part of a Quarter of a Ton, above One Ton:

For every Animal mentioned in Class Seven, Fivepence a Mile:

For every Animal mentioned in Class Eight, Threepence Farthing a Mile.

Maximum Rates of Charge for Passengers.

LII. The maximum Rates of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expense incidental to the Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First-class Carriage, Threepence a Mile:

For every Passenger conveyed in a Second-class Carriage, Twopence a Mile:

For every Passenger conveyed in a Third-class Carriage, One Penny Halfpenny a Mile.

Restriction as to Charges not to apply to Special Trains.

LIII. The Restrictions as to the Charges do not apply to any Special Train, but apply only to the Ordinary and Express Trains from Time to Time appointed by the Company for the Conveyance of Animals or Things, or of Passengers, Animals, and Things, on the Railway.

Company may take increased Charges by Agreement.

LIV. This Act shall not prevent the Company from taking any increased Charges, over and above the Charges by this Act limited, for the Conveyance of Animals or Things of any Description, by Agreement with the Owners or Persons in charge of the Animals or Things, either in respect of the Conveyance of the Animals or Things (except small Parcels) by Passenger Trains, or by reason of any special Service performed by the Company in relation thereto.

Passengers Luggage.

LV. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve 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.

Obligation on Company to become common Carriers and to convey loaded and empty Carriages.

LVI. The Company shall, within Three Years after the passing of this Act, carry as Common Carriers for Hire on the Railway, by means of locomotive Steam Engines or other moving Power, in their own Carriages, all Passengers and all Things mentioned in Class Five; and also convey in the Carriages of other Persons all Passengers, Animals, and Things brought to the Railway, and lawfully required to be conveyed thereon; and the Company shall convey back, without Charge, the empty Carriages, Waggons, and Trucks: Provided always, that the Company shall not be obliged so to carry on any Part of the *Penllwyn* Tramroad or the *Gellyhave* Tramroad.

Company to afford Facilities for loading, &c.

LVII. The Company shall afford to all Persons conveying or sending Goods on the Railway 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 the Goods, without giving any Preference or Priority to one Person over another in the Time or Manner of loading, unloading, receiving, conveying, or delivering the Goods.

Passengers to be conveyed between Risca and Nine Mile Point.

LVIII. The *Monmouthshire* Company shall run on that Part of their Railway which lies between *Risca* and the *Nine Mile Point* Passenger Trains in connexion with all their ordinary Passenger Trains on their *Western*

Western Valleys Main Line; and the Company shall run Passenger Trains of like kinds on the Railway to and from the *Nine Mile Point*, to meet there all the Passenger Trains of the *Monmouthshire* Company.

Company to double certain Portion of Railway, if required by the Board of Trade.

LIX. If the Board of Trade shall require the Company to make a Second Line of Railway on that Part of the Company's Undertaking which extends from the *Nine Mile Point* to the *Newport, Abergavenny, and Hereford* Railway, the Company shall, within Twelve Months after they shall have been thereunto required by the said Board, construct such Second Line, and shall afterwards maintain a double Railway on that Part of their Undertaking.

Power for Companies herein named to make Working and Traffic Arrangements.

LX. The Company and the *Newport, Abergavenny, and Hereford* Railway Company, and with respect to each Company with the Sanction of at least Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting of the respective Company specially convened for the Purpose, from Time to Time may enter into and carry into effect all such Contracts and Agreements for and with respect to all or any of the following Purposes, and all Matters which they respectively think incidental thereto or conducive to the Attainment of the Objects thereof, as they think fit; (that is to say,)

First. The maintaining, working, or using by either of the contracting Companies of all or any Part of the Railways or Tramroads or Undertaking of the other of them:

Secondly. The supplying and maintaining by the contracting Companies, or either of them, of any Plant or Stock for the same:

Thirdly. The Contributions and Payments to be made by either of the contracting Companies to the other of them:

Fourthly. The collecting, managing, protecting, working, and transmitting by the contracting Companies, or either of them, of all or any of the Traffic on all or any Part of the Railways, Tramroads, or Undertakings of the contracting Companies respectively:

Fifthly. The fixing, levying, and collecting by, and the appropriating and dividing between the contracting Companies, or either of them, of the Tolls, Fares, Rates, Charges, and other Income arising from all or any Part of those Railways, Tramroads, or Undertakings:

Sixthly. The Modification of any of the Rights or Liabilities under this Act of the contracting Companies respectively as between themselves.

Power for other Companies hereinnamed to make Traffic Arrangements.

LXI. The Company and the *Merthyr, Tredegar, and Abergavenny* Railway Company, and with respect to each of those Companies with the Sanction of at least Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting of the respective Companies specially convened for the Purpose, from Time to Time may enter into and carry into effect all such Contracts and Agreements for

and

and with respect to all or any of the following Purposes, and all Matters which they think incidental thereto or conducive to the Attainment of the Objects thereof, as they think fit; (that is to say,)

First. The working or interchanging by the contracting Companies, or either of them, of Traffic over or between all or any Part of their respective Railways or Undertakings:

Secondly. The providing by the contracting Companies, or either of them, of a Joint Station for the Purposes of their respective Undertakings, and the Management, Appropriation, and User thereof, and all other Matters relating thereto:

Thirdly. The providing or affording by the contracting Companies to each other of Accommodations and Facilities.

Restrictions as to Agreements between Railway Companies under this Act.

LXII. No such Contract between the Company and the *Newport, Abergavenny, and Hereford* Railway Company, or between the Company and the *Merthyr, Tredegar, and Abergavenny* Railway Company, shall in any Manner increase, diminish, alter, or affect any of the Tolls, Fares, Rates, or Charges which the contracting Companies are from Time to Time respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Contract, be entitled to the User and Benefit of the Railway to which the respective Contract relates, on the same Terms and Conditions, and on Payment of the same Tolls, Fares, Rates, and Charges, as they would be if the Contract were not made.

Approval of Board of Trade.

LXIII. No such Contract made after the passing of this Act with respect to the working or User of any Railway shall have any Operation until it is approved by the Board of Trade; and the Board of Trade shall not approve any such Contract without being satisfied of its having received the Sanction of Shareholders by this Act required.

Modification of Agreement by Board of Trade.

LXIV. If at the Expiration of Ten Years after the Approval by the Board of Trade of any such Contract, and so on from Ten Years to Ten Years, the Board of Trade are of Opinion that any of the Terms and Conditions thereof require Modification, the Board of Trade may require the contracting Companies to modify the Terms and Conditions thereof accordingly; and the Board of Trade shall have Power to declare any Modification required by that Board to be a Part of such Contract, and thenceforth such Modification shall be Part of such Contract, and the Contract shall be construed and take effect accordingly.

Reciprocal Powers for the Company and the Merthyr, Tredegar, and Aber-

LXV. And whereas the Company are willing that, by means of the Extension Railway in this Act ninthly described, the *Merthyr, Tredegar, and Abergavenny* Railway Company should have Access, by means of the Powers herein-after contained, to the Town of *Tredegar*, upon the Condition that the Company should have reciprocal Powers over and in respect

gavenny Railway Company.

respect of any Extensions of the authorized Railway of that Company which may be hereafter made to or towards *Merthyr*, *Dowlais*, or the Railways of the *Brecon and Merthyr Tydfil Junction* Railway Company, and, in the event of any such Extension being hereafter made, over so much of the authorized Railway of the *Merthyr*, *Tredegar*, *and Abergavenny* Railway Company as may lie between the Railway of the Company and any such Extension Railway as aforesaid: Therefore the *Merthyr*, *Tredegar*, *and Abergavenny* Railway Company may run over and use the Extension Railway in this Act ninthly described from and immediately after the opening thereof for public Traffic; and the Company may run over and use any such Extension Railways of the *Merthyr*, *Tredegar*, *and Abergavenny* Railway Company as aforesaid, and so much of the authorized Railway of that Company as may lie between the Railway of the Company and any such Extension Railway as aforesaid, from and immediately after the opening of such Extension Railways for public Traffic; and the Powers aforesaid shall in each Case extend to and be exerciseable by, with, and for the respective Engines, Carriages, Trucks, Officers, and Servants of the Company, and the *Merthyr*, *Tredegar*, *and Abergavenny* Railway Company, and to and for Traffic of every Description, and shall comprise the User of all Stations, Water Supply, Works, and Conveniences, including the Station of the Company for *Tredegar* and *Sirhowy*, belonging to or connected with the Portions of the respective Railways over which such Powers extend, and shall be exercised upon such Terms and Conditions, subject to such Regulations and upon Payment of such Sums or other Consideration as may be agreed upon between the Company and the *Merthyr*, *Tredegar*, *and Abergavenny* Railway Company, or in default of Agreement as shall be determined by an Arbitrator, to be appointed by the Board of Trade on the Application of either Company.

Tolls on other Railways used by the Company.

LXVI. Subject to the Provisions of the Acts applicable in that Behalf, the Company may demand and take, in respect of any Railway over which their Carriages from Time to Time pass, for all Passengers, Animals, and Things conveyed by or for the Company thereon, and for Carriages, Waggons, and Trucks of the Company conveying the same, and for Locomotive Engines or other Power, where provided by the Company, and for all Services performed by them thereon, and for all other Matters with respect to Traffic thereon, a like Amount of Tolls and other Charges as by this Act the Company are authorized to demand and take for like Traffic, Services, and Matters on or with respect to the Railway, and in like Manner, and with and subject to like Powers and Provisions, in all respects as if the Railway so worked over by the Company were Part of the Railway.

Maximum Tolls to be so taken.

LXVII. Provided always, That the maximum Charges to be made by the Company with respect to the Tolls and other Charges for the User of the

the Railway, and for locomotive Power, and for Carriages and Waggons, and for other Charges, shall apply to the Tolls and other Charges to be demanded and taken by the Company with respect to any Railway so worked over by them.

As to Tolls to be taken by Companies for working each other's Railways.

LXVIII. When and so long as either of the other before-named Companies shall, under any Contract made under this Act, work any Railway or Tramroad or any Part of any Railway or Tramroad of any other of them, or of the Company, such Company so working the same may demand and take, upon and in respect of such Railway or Tramroad worked by them, such and the same Tolls, Rates, and Charges as the Owners of such Railway or Tramroad may for the Time being be authorized to take upon and in respect of the same, but subject to the same Limitation of the maximum Charges to be made thereon to which such Owners may for the Time being be subject.

For estimating Tolls, Railways to be deemed One Line of Railway.

LXIX. Provided always, That when and so long as under any Contract made under this Act the Company or either of the other before-named Companies work any Railway or Tramroad or any Part of any Railway or Tramroad of any other of them, such Railway or Tramroad or Part of a Railway or Tramroad and the Railways or Tramroads of such Company so working the same shall, for the Purpose of calculating the Tolls and Charges for Distances less in the aggregate than Four Miles, be deemed One continuous Line of Railway or Tramroad.

Capital of Company.

LXX. After the passing of this Act the Capital of the Company shall be the aggregate of the following Amounts; (that is to say,)

First. The Thirty thousand Pounds constituting the Company's present Capital:

Secondly. The additional Capital of Seventy-five thousand Pounds by this Act authorized:

Thirdly. The Amount (if any) of Capital from Time to Time created by the Company by the Conversion of Loan into Capital.

Power for Company to raise 75,000*l.* by new Shares.

LXXI. The Company from Time to Time, with the Sanction of a General Meeting, may raise by the Creation and Issue of new Shares the additional Capital of Seventy-five thousand Pounds.

Power to cancel unissued new Shares.

LXXII. If after having created any new Shares the Company determine not to issue the whole of the new Shares, they may cancel the unissued new Shares, and may from Time to Time thereafter create and issue instead thereof other new Shares of an aggregate Amount not exceeding the aggregate Amount of the new Shares so cancelled.

Company may cancel forfeited Shares.

LXXIII. Where any Share in the Company is declared forfeited, and the Forfeiture is confirmed by a General Meeting in accordance with the

Provisions in that Behalf of "The Companies Clauses Consolidation Act, 1845," and Notice of the Forfeiture is given by Advertisements in the *London Gazette*, and in some *London* daily Morning Newspaper, and if the Directors be unable to sell the Share for a Sum equal to the Arrears of Calls and Interest, and Expenses due in respect thereof, then and in every such Case, at any General Meeting held after an Interval of at least Two Months after the Notice is given, and if Payment of all Arrears of Calls on the Share, with the Interest due thereon, and all Expenses, be not made by the registered Owner before the Meeting is held, the Company may resolve that the Share, instead of being sold, be cancelled, and the Share thereupon shall be cancelled accordingly.

Evidence for Cancellation.

LXXIV. A Declaration in Writing made by some credible Person before a Justice, stating that a Sum of Money sufficient to pay the Arrears of Calls, and Interest and Expenses in respect of the Share, could not be obtained for the same on the Stock Exchange of the City of *London* at the Time of the Cancellation, shall be Evidence of the Fact therein stated.

Shareholders liable to pay Calls, &c. notwithstanding Cancellation.

LXXV. When it is so resolved that any Shares shall be cancelled, the Owner thereof, from and after the passing of the Resolution, shall be precluded from all Right and Interest therein; but the Cancellation of any Share shall not affect the Liability of the last Holder thereof to pay to the Company the Arrears of Calls and Interest due in respect of the Share at the Time of the Cancellation, or the Powers of the Company to enforce Payment thereof by Action.

Value of Share to be deducted, &c.

LXXVI. Provided always, That the Value of the Share at the Time of the Cancellation thereof shall be deducted from the Amount so then due: Provided also, that if Payment of all Arrears of Calls and Interest and Expenses be made before the Meeting, the Share shall revert to the Person to whom it belonged before Forfeiture, and shall be so re-entered on the Register.

Company may cancel forfeited Shares with Consent of Holders.

LXXVII. Where any Share in the Company is declared forfeited, or where any Sum payable, or any Share, remains unpaid, the Company, with the Consent in Writing of the registered Holder of the Share, and with the Sanction of a General Meeting, may resolve that the Share be cancelled, and immediately thereupon the Share shall be cancelled, and all Liabilities and Rights with respect to the Share shall thereupon be absolutely extinguished.

Company may issue new Shares instead of

LXXVIII. Where the Company, under any of the Provisions of this Act, cancel any issued Shares, they may from Time to Time thereafter create and issue, instead of the Shares so cancelled, new Shares of an aggregate

aggregate Amount not exceeding the aggregate Amount of what remained unpaid on the Shares so cancelled.

such cancelled Shares.

LXXIX. The Directors may accept from the Proprietors or Holders of any Shares in the Company, forfeited or liable to become forfeited, Surrenders of such Shares upon such Terms and Conditions as may be authorized by any Ordinary or Extraordinary Meeting of the Company specially convened for that Purpose, and all such Surrenders shall be by Deed under the Hands and Seals of such Proprietors or Holders, setting forth truly the Terms of such Surrenders, and duly stamped, and may be in the Form contained in the Schedule to this Act, or as near thereto as Circumstances will admit, and the Directors may affix the Common Seal of the Company to any such Surrenders: Provided always, that no Money shall be paid by the Company or the Directors to any such Proprietor or Holder for or in consideration of any such Surrender.

Company may accept Surrenders of Shares.

LXXX. All Shares so surrendered shall merge in the Capital Stock of the Company, and thereupon all Right and Interest of the former Proprietors of such Shares therein shall cease and be absolutely extinguished.

Merger of such Shares.

LXXXI. The Acceptance of any such Surrender as aforesaid shall not operate to discharge the Person whose Shares shall be so surrendered from his Liability to pay any Calls, Arrears, or Interest then due thereon respectively, but the same shall be paid by him, unless the contrary shall be expressly agreed on between him and the Directors, in which Case such Person shall be discharged from Liability in respect of the Shares so surrendered to the Extent so determined and agreed upon.

Surrender not to extinguish Arrears unless so agreed.

LXXXII. The Company may, by the Order of an Extraordinary Meeting as aforesaid, from Time to Time, in lieu and stead of any Shares which may have been so surrendered as aforesaid, create and issue new Shares, in One or more Classes, and of such Amounts as will allow the same to be conveniently apportioned or disposed of according to the Resolutions of any Ordinary or Extraordinary Meeting of the Company, but so that the authorized aggregate Amount of the Capital of the Company for the Time being of the Company shall not be thereby exceeded.

Power to issue new Shares in lieu of those surrendered.

LXXXIII. The Company from Time to Time, with the Sanction of at least Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting specially convened for the Purpose, may issue and dispose of the new Shares by this Act authorized on such Terms and Conditions as to Priority of Dividends or otherwise as the Company from Time to Time think fit, and may from Time to Time fix,

Power to issue new Shares of different Classes, &c.

as

as they think fit, the Amount of the new Shares, and the Amounts and Times of Payment of Calls on the new Shares.

Limit of preferential Dividend on new Shares.

LXXXIV. Provided always, that no new Share shall bear any fixed or preferential Dividend exceeding the Rate of Four Pounds Ten Shillings *per Centum per Annum*.

Preferential Shares not to carry Arrears beyond One Year.

LXXXV. The new Shares created under the Powers of this Act shall be entitled to the preferential Dividend, if any, which may have been attached to them by the Company out of the Profits of each Year, in priority to the ordinary Shares and Stock in the Company; but if in any Year ending the Thirty-first Day of *December* there shall not be Profits available for the Payment of the full Amount of such preferential Dividend for that Year, the Deficiency shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Power to borrow on Mortgage according to 42G.3.c.cxv.

LXXXVI. The Company from Time to Time, in respect of the Power of borrowing conferred on them by Section 39 of the Act of 1802, may, notwithstanding the Repeal by this Act of that Section, borrow on Mortgage any Sums not exceeding in the whole Fifteen thousand Pounds.

Power to borrow further Sums on Mortgage.

LXXXVII. The Company from Time to Time may borrow on Mortgage any further Sums not exceeding in the whole Twenty thousand Pounds: Provided always, that the Company shall not borrow any Part thereof until the whole of the additional Capital of Seventy-five thousand Pounds by this Act authorized to be raised by new Shares is subscribed for or taken, and One Half thereof is paid up, and until they shall prove to the Justice who is to certify under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all such additional Capital has been subscribed for *bonâ fide*, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.

Limit of Amount to be raised by Shares and by borrowing.

LXXXVIII. The Amount which the Company from Time to Time may raise by Shares and by borrowing shall not exceed the Aggregate of the following Amounts; (that is to say,)

	£
The Company's present Capital - - -	30,000
The additional Capital by this Act authorized -	75,000
The Amount by the Act of 1802 authorized to be borrowed - - - - -	15,000
The Amount by this Act authorized to be borrowed -	20,000
	£140,000

LXXXIX. The

Interest not to be paid out of Capital.

LXXXIX. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Shares or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided always, that the Company from Time to Time may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is in conformity with the Provisions in that Behalf of "The Companies Clauses Consolidation Act, 1845."

Deposits on future Bills not to be paid out of Company's Capital.

XC. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Shares or by borrowing, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament from Time to Time in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to make any Railway, or execute any other Work or Undertaking.

Application of Moneys.

XCI. Subject to the Provisions of this Act, the Moneys from Time to Time raised by the Company by Shares and by borrowing shall be applicable for the Purposes of the Undertaking of the Company, and shall not be applicable to any other Purposes.

Votes and Qualification for Stock and Shares.

XCII. All the Shares and Stock from Time to Time forming Part of the Capital of the Company shall confer like or like proportionate Rights of voting and Qualification, and Privileges in all other respects.

Provision for estimating Votes.

XCIII. For the Purpose of voting, the Amount of Capital of the Company represented by all the Shares, or by all the Stock, or by all the Shares and all the Stock held by any Person, shall be considered as divided into so many One hundred Pound Shares as that Amount will admit, and the Right of voting of the Holder in respect of the Shares or of the Stock, or of the Shares and Stock, shall be determined by the Number of One hundred Pound Shares into which the Amount of Capital represented by the Shares or by the Stock, or by the Shares and Stock held by him, is from Time to Time capable of being divided, any Fraction of One hundred Pounds being disregarded.

Votes of several Persons Joint Holders of Shares.

XCIV. If several Persons be jointly entitled to a Share or a Portion of Stock, then if more than One be present, in Person or by Proxy, at any General Meeting, the One of those Persons so present whose Name stands First in the Register as One of the Holders of the Share or Portion of Stock shall, for the Purpose of voting, be deemed the sole Holder thereof, or if only One of the Joint Holders be present, in Person or by Proxy, at any General Meeting, then the Person so present shall, for the Purpose of voting at the General Meeting, be deemed the sole

Holder thereof, and on all Occasions the Vote of the first-named Holder, or (as the Case may be) of the solely present Holder, shall be allowed as the Vote in respect of the Share or Portion of Stock, without Proof of the Concurrence of the other Holders thereof.

Railway not exempt from Provisions of present and future General Acts.

XCV. This Act shall not exempt the Railway from the Provisions of any present or future General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges by this Act authorized, or of the Rates for small Parcels thereby authorized.

Expenses of Act.

XCVI. All the Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act shall be borne and paid by the Company.

The

The SCHEDULE referred to in the foregoing Act.

Form of Surrender of Shares.

THIS Deed, made the Day of One thousand eight hundred and between of of the one Part, and the Sirhowy Railway Company of the other Part, witnesseth, that the said doth hereby surrender unto the said Company all those Shares in the Capital and Undertaking of the said Company which in the Books of the said Company are distinguished by the respective Numbers , and all his Right, Title, and Interest therein and thereto, to the Intent that the same may be absolutely merged and extinguished. [*Here add the following Provision, (if intended,)* "And it is hereby agreed that the "said (*Surrenderor*) shall be henceforth discharged from all Calls and "Liabilities in respect of the Shares hereby surrendered," *and any other Terms and Conditions intended.*]

In witness whereof the said (*Surrenderor*) hath hereunto set his Hand and Seal, and the said Company have caused their Common Seal to be hereunto set and affixed, on the Day and Year first before written.

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