ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. cix.

An Act for making certain new Lines of Railway in connexion with the *South Wales* Railway, and certain Alterations in the Line of the said Railway; and for other Purposes. [2d *July* 1847.]

WHEREAS an Act was passed in the Session of Parliament
held in the Eighth and Ninth Years of the Reign of Her 8 & 9 Vict.
present Majesty, called "The *South Wales* Railway Act, c. 190.
1845," whereby certain Persons were incorporated under the Name or Style of "The *South Wales* Railway Company:" And whereas
an Act was passed in the last Session of Parliament, intituled *An Act* 9 & 10 Vict.
for extending the Line of the South Wales *Railway, and for making* c. 239.
certain Alterations of the said Railway, and certain Branch Railways in connexion therewith: And whereas it is expedient that further Alterations should be made in the Line of the *South Wales* Railway as authorized by the said first-recited Act: And whereas it would be attended with public and local Advantage if certain Railways were made in connexion with the *South Wales* Railway, one thereof to connect the *Forest of Dean* Branch of the *Monmouth and Hereford* Railway at or near *Whimsey Pit* in the Township of *East Dean* in the County of *Gloucester* with the Line of the *Gloucester and Forest of Dean* Railway in the Parish of *Newnham* in the same

County, another thereof from the last-mentioned intended Branch Railway to *Bullo Pill* on the Western Side of the River *Severn*, and the other of such Railways from the Line of the *South Wales* Railway as at present authorized in the Parish of *Neath* in the County of *Glamorgan* to *Briton Ferry* in the same County: And whereas it is expedient that certain Alterations should be made in the Line and Levels of the *Forest of Dean* Railway: And whereas the *South Wales* Railway Company are desirous of carrying into effect the Objects aforesaid if authorized by Parliament so to do, but for such Purpose it is necessary that some of the Powers and Provisions of the said recited Acts should be enlarged, and further Powers granted to the Company: 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 Provisions of the Lands Clauses Consolidation Act, 1845, and of the Railways Clauses Consolidation Act, 1845, shall respectively, so far as the same are applicable to, and except in so far as the same may be inconsistent with, the Provisions herein-after contained, be incorporated with and form Part of this Act.

8 & 9 Vict. cc. 18. and 20. extended to this Act.

Powers of former Acts extended to this Act.

II. And be it enacted, That all the Provisions contained in the said recited Acts relating to the *South Wales* Railway, so far as the same are now unrepealed and in force, and except such as are inapplicable to the Purposes of this Act, or are inconsistent with the Provisions of the said Lands Clauses Consolidation Act, 1845, or of the said Railways Clauses Consolidation Act, 1845, shall extend to this Act, and to the several Objects and Purposes thereof, as fully and effectually as if the same Provisions were re-enacted in this Act with reference to such Objects and Purposes.

Short Title.

III. And be it enacted, That in citing the secondly-recited Act and this Act respectively in other Acts of Parliament, and in legal Instruments, Pleadings, and other Proceedings, it shall be sufficient to use the respective Expressions "The *South Wales* Railway Amendment Act, 1846," and "The *South Wales* Railway Amendment Act, 1847."

Power to appropriate Capital.

IV. And be it enacted, That it shall be lawful for the Company to appropriate any Portion of the Capital which they are authorized to raise by the said recited Acts to the Purposes of this Act or any of them.

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

V. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway, or execute any other Work or Undertaking.

VI. And

Power to make Railways.

VI. And be it enacted, That it shall be lawful for the said Company to construct

A Railway diverging from the Line of the *South Wales* Railway as at present authorized to be made in the Parishes of *Neath* and *Lantwit-juxta-Neath*, or one of them, in the County of *Glamorgan*, and terminating by Two Forks or Branches near *Briton Ferry* in the Parish of *Briton Ferry* in the County of *Glamorgan*:

And it shall also be lawful for the Company to alter the Line and Levels of the *Forest of Dean* Railway, and to divert, widen, and improve the same, and to construct the Railways next herein-after mentioned in lieu of certain Portions of the same; (that is to say,)

A Railway commencing by a Junction with the *Forest of Dean* Branch of the *Monmouth and Hereford* Railway in the Township of *East Dean* in the County of *Gloucester*, and terminating by a Junction with the *Gloucester and Forest of Dean* Railway in the Parish of *Newnham* in the same County:

Also a Railway diverging from and out of the said last-mentioned intended Railway in the Parish of *Newnham* aforesaid, and terminating near a certain Wharf at *Bullo Pill* in the Parishes of *Newnham* and *Awre*, or one of them, in the County of *Gloucester*.

Power to alter Railway.

VII. And be it enacted, That it shall be lawful for the said Company to alter certain Portions of the Line of the *South Wales* Railway as at present authorized to be made, and to construct such new or altered Lines of Railway as are next herein-after mentioned in lieu of the Portions so to be altered; (that is to say,)

One of such new or altered Lines of Railway commencing at or near to the Ninety-ninth Mile, and terminating at or near to the Eighty-third Mile and Third Furlong, of the said Railway, as marked on the Plans thereof referred to in "The *South Wales* Railway Act, 1845:"

Another of such new or altered Lines of Railway commencing at or near to the One hundred and thirteenth Mile and First Furlong, and terminating at or near to the One hundred and twelfth Mile, of the said Railway, as marked on the said Plans:

Another of such new or altered Lines of Railway commencing at or near the One hundred and thirty-second Mile, and terminating at or near the One hundred and twenty-seventh Mile, of the said Railway, as marked on the said Plans:

And another of such new or altered Lines of Railway commencing at or near to the One hundred and twenty-seventh Mile, and terminating at or near the One hundred and twenty-fourth Mile and Seventh Furlong, of the said Railway, as marked on the said Plans:

And another of such new or altered Lines of Railway commencing at or near the Fifty-sixth Mile and Seventh Furlong, and terminating at or near the Fifty-third Mile and Fifth Furlong, of the said Railway, as marked on the said Plans.

Power to abandon Parts of original Line.

VIII. And be it enacted, That the said Railways shall be and become Part of the Undertaking of the *South Wales* Railway, and shall

shall as such be subject to the several Provisions of the said recited Acts relating thereto in like Manner as though the same had formed Part of the Undertaking thereby authorized; and the Company shall abandon the Formation of so much of the Line or Lines of Railway authorized to be made by the said first-recited Act as may by reason of the Alterations in the same by this Act authorized be rendered unnecessary.

Power to divert the River Taff.

IX. And be it enacted, That it shall be lawful for the Company to divert, alter, and stop up the Course of so much of the Stream of the River *Taff* as now flows round a certain Property, numbered 51, in the Parish of *Saint Mary Cardiff* in the County of *Glamorgan*, on the Plans referred to in "The *South Wales* Railway Act, 1845," and to make a new Cut or Channel on the Western Side of the said Property, numbered 51, in lieu of the said Portion of the River *Taff* so to be diverted.

Railways to be made according to deposited Plans.

X. And whereas Plans and Sections of the Railways and Works, and of the Alterations of the *Forest of Dean* Railway, and of the Diversion or Alteration of the River *Taff* by this Act authorized, showing the Lines and Levels of such Works respectively, 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 are intended to pass or be made, have been deposited with the Clerks of the Peace for the Counties of *Gloucester*, *Monmouth*, *Glamorgan*, and *Carmarthen* respectively; be it enacted, That the said Railways, altered Railways, and Works, and the said Diversion of the River *Taff*, shall be made according to the Lines and Levels or Situations thereof as defined on the said Plans and Sections; and it shall be lawful for the said Company to enter upon, take, and use such of the Lands delineated on the said Plans and described in the said Books of Reference as shall be necessary for the Purposes thereof.

Embankment to be made along the Strand of Loughor Estuary.

XI. And be it enacted, That the Company shall construct an Embankment along the Strand of *Loughor Estuary* in the Deviation between *Pembrey* and *Llanelly* in such Manner that no Flux or Reflux of the Tide be permitted to pass within the Embankment.

As to Bridge over River Taff.

XII. And be it enacted, That the said Railway shall be carried across the River *Taff* by a Bridge as described on the Plan deposited at the Admiralty, and that the Diversion of the said River *Taff* by this Act authorized shall be made as much to the Eastward as Circumstances and the Line of Deviation will admit of.

Lights to be kept burning on Bridge.

XIII. And be it enacted, That during the Construction of the said Bridge and Works connected therewith the said Company shall cause to be hung out or exhibited every Night from Sunset to Sunrise a Light, to be kept burning by and at the Expence of the Company, for the Navigation and safe Guidance of Vessels; and for ever after the Completion of the said Bridge the said Company shall cause to be hung out or exhibited upon or near to the Centre of the said Bridge, every Night from Sunset to Sunrise, a good and sufficient Light, to be

be kept burning by and at the Expence of the Company, for the Navigation and safe Guidance of Vessels, and which Light shall be from Time to Time altered by the said Company in such Manner, and be of such Description and be so used, as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall, by Writing under the Hand of the Secretary of the Admiralty, approve of; and in case the said Company shall neglect to exhibit and keep either of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

If Bridges, &c. abandoned Admiralty may remove same.

XIV. And be it enacted, That if any Bridge or Work to be constructed by the Company in or across any Tidal Water or navigable River, or if any Portion of the Railway which affects any such Water or River, or Access thereto, shall be abandoned by the Company, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly.

Company not to deviate to the Northward of the Llanelly and Pembrey Deviation as laid down on the Plans.

XV. And be it enacted, That nothing in this Act or in the said recited Acts or any of them contained shall enable the said Company to deviate to the Northward of the said new or altered Line of Railway as described in the Plans referred to in this Act, commencing at or near the Fifty-sixth Mile and Seventh Furlong in the Parish of *Llanelly*, and terminating at or near the Fifty-third Mile and Fifth Furlong in the Parish of *Pembrey*; but that, notwithstanding any Powers of Deviation given by this Act or the said recited Acts or any of them, the said Line or altered Line of Railway from and to the Points before mentioned shall be constructed so that the Centre of the said Road or Embankment shall not extend further Northward than the Line marked and described on the said Plans and Books of Reference so deposited as aforesaid.

Provision as to Culverts, &c.

XVI. And be it enacted, That the said Company shall, if required by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings so to do, at their own Costs, make and permanently maintain the Culverts herein-after mentioned under the Embankment of the said Railway, each of such Culverts being of a Width not less than Five Feet, and of a Height not less than Five Feet; that is to say, Three of such Culverts at the Point where the said intended Line of Railway as marked in the Plan referred to in this Act crosses the former or old Bed of the said River *Lliedi*, such River having been lately diverted by a new Cut into *Llanelly* Harbour, between the Fifty-sixth Mile and Third Furlong and the Fifty-sixth Mile and Fourth Furlong; Two of such Culverts at the Point where the said intended Line of Railway as marked on the same Plan crosses the Bed of the River *Stradey* or *Yard* River at or about the Fifty-fifth Mile and Fourth Furlong; and One of the said Culverts at the Point where the said intended Line of Railway as marked on the same Plan crosses the *Davaty* River at or about the Fifty-fourth

Mile and Sixth Furlong; that the several Culverts aforesaid shall be provided with good and substantial Sluice-doors, well and firmly hung on the Face of such Culverts on the South or Sea Side of the Railway, such Sluice-doors to be made and permanently maintained at the Expence of the said Company, so as to allow of the free Exit of the Water from the Land Streams, and effectually to prevent the Tidal Water from passing through any of such Culverts to the Land or North Side of the Railway.

Crossings to be made at certain Points.

XVII. And be it enacted, That the said Company shall and they are hereby required to make and permanently maintain, at their own Expence, the level or surface Crossings herein-after mentioned; that is to say, One of such Crossings to be made over the said Railway on the East Side of the new Cut, made for the Diversion of the said River *Lliedi*, at the Point where the said Railway is intended to cross the Line of the old Road or Highway, leading from that Part of the Borough Hamlet in the Parish of *Llanelly* commonly called or known by the Name of "*Llanelly Sea Side*" to or near to a Place commonly called the *Iron Bridge*, One other of such Crossings at some Point not more than Two hundred Yards to the West of the said new Cut, Two other of such Crossings at some Points to be chosen and determined upon by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings between the Fifty-fifth Mile and the Fifty-sixth Mile and Sixth Furlong, and One other of such Crossings at some Point to be chosen and determined upon by the said Commissioners between the Fifty-third Mile and Fifth Furlong and the Fifty-fifth Mile.

Commissioners of Woods, &c. empowered to contract with the Company for Sale of Property of the Crown.

XVIII. And whereas the Queen's most Excellent Majesty in right of Her Crown is or claims to be seised to Herself, Her Heirs and Successors, of a certain Forest or Tract of Land called *Dean Forest* in the County of *Gloucester*, and Her Majesty in right of Her Crown is or claims to be seised of divers other Lands proposed to be acquired and used by the Company for the Purposes of the said Railways or Branches; be it enacted, That it shall be lawful for the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty, to contract and agree with the said Company for the Sale of all the Estate, Right, Title, and Interest of Her Majesty in and to such Portion of the said Forest as the Company are by this Act empowered to purchase, for such Price, and subject to such Conditions, Restrictions, and Reservations, as shall be settled and agreed upon between the said Commissioners and the Company; and upon Payment of such Sum of Money as shall be so agreed upon it shall be lawful for the said Commissioners for the Time being on behalf of Her Majesty, by any Deed or Writing under their Hands and Seals, to convey to the Company for the Purposes of this Act such Portion of the said Forest so contracted to be sold as aforesaid; and every such Deed shall be enrolled, entered, and perfected in such or the like Manner as Conveyances by the said Commissioners of Lands of Her Majesty (not being Part of any Royal Forest) are now by Law directed to be enrolled, entered, and perfected; and all Sums of Money to be paid for the same shall be paid by the Company into the Bank of

England to the Account of the said Commissioners in the Manner prescribed by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases; of the Land Revenue of the Crown within the Survey of the Exchequer in* England; *and of the Land Revenue of the Crown in* Ireland; *and for extending certain Provisions relating to the same to the Isles of* Man *and* Alderney, with regard to the Payment of the Price or Consideration for Lands of the Crown sold by the said Commissioners under the Authority of that Act: Provided always, that if the whole or any Portion of the Lands of Her Majesty in right of Her Crown which may be conveyed to the said Company either by the *Forest of Dean* Railway Company or by the said Commissioners in pursuance of the Powers of this Act shall not be wanted for the Purposes of this Act, or shall not be used or shall cease to be used for the Purposes of the said Railways or Branches for the Space of any Two consecutive Years, then the whole or such Part or Portion (as the Case may be) which shall not be so used, or which shall cease to be so used as aforesaid, shall immediately thereafter revert to, and shall by virtue of this Act become again and be absolutely vested in, the Queen's most Excellent Majesty, Her Heirs and Successors, freed and discharged of and from all Claims and Demands of the Company, their Heirs, Successors, or Assigns, subject nevertheless to the same or the like Rights (if any) as are now subsisting over the same, any thing which may be expressed in any Conveyance to the said Company to the contrary notwithstanding. 10 G. 4. c. 50.

Compensation to be made in respect of Injury done to Mines of Her Majesty.

XIX. And be it enacted, That the Clauses and Provisions of the Railways Clauses Consolidation Act, 1845, with respect to Mines lying under or near the said Railways or Branches shall extend and apply to the Mines of Her Majesty in right of Her Crown: Provided always nevertheless, that any Compensation to be paid or made by the said Company to Her Majesty for or in respect of such Mines, or any Injury done thereto, shall be settled and agreed upon between the said Company and the said Commissioners for the Time being; and in case any Dispute or Question shall arise between the Company and the said Commissioners as to the Amount of such Compensation, the same shall be settled in the same or the like Manner as is by this Act specially provided in the Case of Compensation to be paid by the said Company for any Lands of Her Majesty in right of Her Crown.

Company to construct Line through the Property of the Crown under Direction of the Commissioners of Woods, &c.

XX. And be it enacted, That it shall be lawful for the Company and they are hereby required, at their own proper Costs and Charges, to arrange the Levels and Gradients of the Lines of the proposed Railways and Branches, where it is intended to pass through any Lands of Her Majesty in right of Her Crown, so as thereby effectually to provide for such Communications as may be deemed necessary by the said Commissioners for the Time being on behalf of Her Majesty for the convenient Occupation and Enjoyment of the adjoining Lands of Her Majesty, and, if necessary, to deviate from the Line laid down on the Plans herein-before mentioned in such Direction, to such Extent,

Extent, and in such Manner, through the Lands of Her Majesty, as may be deemed by the said Commissioners necessary or expedient; and the said Company shall, at their own proper Costs and Charges, from Time to Time, and when and so often as thereunto required so to do by any Notice in Writing from the said Commissioners for the Time being on behalf of Her Majesty, make, erect, and construct, and from Time to Time maintain and support, all such Gates, Bridges, Arches, Culverts, Tunnels, Openings, Roads, Ways, Passages, Drains, Fences, and Watering Places over or under or by the Side of the said Railway, of such Dimensions and Materials, in such Places, according to such Plans, and in such Manner in all respects, as the said Commissioners for the Time being shall deem requisite or proper for the convenient Enjoyment or Occupation of the adjoining Lands of Her Majesty, Her Heirs or Successors, or for preserving the same from permanent or temporary Injury or Damage; and all such Gates, Bridges, Arches, Culverts, Tunnels, Openings, Roads, Ways, Passages, Drains, Fences, and Watering Places so to be made shall at all Times thereafter be kept in good Order and Repair by the said Company to the Satisfaction of the said Commissioners for the Time being in all respects; and in case the said Company shall refuse or neglect so to do, it shall be lawful for the said Commissioners for the Time being on behalf of Her Majesty to construct such Gates, Bridges, Arches, Culverts, Tunnels, Openings, Roads, Ways, Passages, Drains, Fences, and Watering Places, and to repair and support the same from Time to Time as Occasion shall require, so that in the Construction or Repair thereof the said Railway shall not be obstructed for any longer Space of Time than shall be necessary for the doing thereof; and the Costs, Charges, and Expences incurred by the said Commissioners in regard thereto shall be repaid to them by the said Company within Ten Days after Demand thereof made in Writing by any Notice addressed to the said Company by the said Commissioners, and left at the principal Office or one of the Offices or usual Places of Business of the said Company; and in default of Payment within the Time aforesaid, the Amount of such Costs, Charges, and Expences may be levied by Distress and Sale of any of the Goods and Chattels of the said Company, wherever the same may be found, for the Use of Her Majesty, Her Heirs or Successors, in the same or in the like Manner, and with the same or the like legal Incidents, as any Rent due to Her Majesty is or may be by Law recoverable and recovered, or the Amount of such Costs, Charges, and Expences may, at the Option of the said Commissioners, be recoverable and recovered by and on behalf of Her Majesty, Her Heirs and Successors, in the same or the like Manner as any Debt of Record due and owing to Her Majesty is or may be by Law recoverable and recovered.

The Company to pay the Expences of settling the Price, and of the Conveyance.

XXI. And be it enacted, That all the Costs, Charges, and Expences incurred or to be incurred by or on behalf of the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings in relation to the Construction of the said Railways or Branches, or any Works, Matters, or Things appertaining thereto, through any Lands of Her Majesty in right of the Crown, or in ascertaining and settling the Price or Compensation to be paid to the said Commissioners on behalf of Her Majesty as aforesaid in respect of

of any Lands or Mines of Her Majesty, and the Costs of any Conveyance to the said Company, and of the Enrolment and Entry thereof, shall be borne and paid by the said Company.

Certain Roads may be crossed on the Level.

XXII. And be it enacted, That, subject to the Provisions contained in the said Railways Clauses Consolidation Act, 1845, with respect to crossing Roads on the Level, it shall be lawful for the Company, if they think fit, to carry the Railways by this Act authorized, or any of them, across and on the Level of the several Roads numbered respectively on the Plans deposited as last aforesaid as follows; (that is to say,)

In the Parish of *Christchurch*, the Roads numbered 91 and 137 respectively:

In the Parish of *Magor*, the Road numbered 24:

In the Parish of *Saint Mary Cardiff*, the Roads numbered 31ⁿ, 42, and 44 respectively:

In the Parish of *Coychurch*, the Roads numbered 51, 174, 240, and 293 respectively:

In the Parish of *Briton Ferry*, the Road numbered 54.

Company to erect a Station or Lodge at Points of crossing, and to abide by Regulations of Commissioners of Railways.

XXIII. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railways cross the before-mentioned Roads on the Level; and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, 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 such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Inclination of public Highways.

XXIV. And be it enacted, That it shall not be lawful for the Company to make the Inclination of any public Carriage Road which may be altered in order to carry the same over or under the said Railways steeper than One Foot in Thirty Feet.

Compulsory Power of taking Lands limited.

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

Period for Completion of Works.

XXVI. And be it enacted, That the Works by this Act authorized shall be completed within Seven Years from the passing of this Act; and on the Expiration of such Period the Powers granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Railways and other Works as shall then be completed.

Gauge of Railways.

XXVII. And be it enacted, That the Railways by this Act authorized shall be constructed upon the broad Gauge of Seven Feet, so as to admit of the same being worked continuously with the *South Wales* Railway.

Providing for Compensation to Owner of Pwl Quay.

XXVIII. And whereas a Part of the new or altered Line of Railway by this Act authorized, and herein-before described as commencing near the Fifty-sixth Mile Seventh Furlong, and terminating near the Fifty-third Mile Fifth Furlong, of the *South Wales* Railway, passes between the Sea and certain Property called *Pwl Quay*, belonging or claimed to belong to *William Chambers* Esquire, in the Parishes of *Pembrey* and *Llanelly*, or one of them, in the County of *Carmarthen*; be it therefore enacted, That, in addition to any Compensation to which they might otherwise be entitled under the Lands Clauses Consolidation Act, 1845, the Company shall and they are hereby required, before making the said altered Line, to compensate the said *William Chambers*, and the Lessees and Occupants for the Time being of the said Property, for all Loss which they may respectively sustain by reason of the said Line of Railway interrupting the Communication between the said Property and the Sea, the Amount of such Compensation, in case of Difference, to be settled by Arbitration in the Manner specified by the Lands Clauses Consolidation Act, 1845.

Compensation for Quay not to be mixed up with other Compensation.

XXIX. And be it enacted, That the Compensation payable as aforesaid to the said *William Chambers*, or other the Person for the Time being entitled to the said Quay, shall be independent of and shall not be mixed up with any Purchase Money or other Compensation Money to which he shall be or claim to be entitled in respect of any Land taken or used for the Purposes of the Railway, or of any Lands injuriously affected by the Construction thereof.

So much of Act as relates to Ownership of Sea Shore repealed.

XXX. And whereas by the said first-recited Act it is recited that the Line of the said Railway between the Property, numbered 168 in the Plans, in the Parish of *Llanelly* in the County of *Carmarthen*, and a certain other Property in the Parish of *Pembrey* in the same County, numbered 51 on the said Plans, adjoined the Shore of the Sea, or of the Estuary called the *Bury* River or of the River *Loughor*, of which Her Majesty was Owner in right of Her Crown: And whereas the Right Honourable *John Frederick* Earl *Cawdor* is or claims to be the Lord of the Honor or Manor of *Kidwelly*, and he claims to be the Owner of the Shore of the Sea bounding such Manor, which Shore comprises (among other things) the said Shore of the Sea, or of the Estuary called the *Bury* River or of the River *Loughor*, particularly mentioned in such first-recited Act as aforesaid: And whereas the Title to such Shore was previously to the passing of the said first-recited Act and still is in controversy between Her Majesty and the said Earl *Cawdor*: And whereas the Recital in such Act that Her Majesty is Owner of the said Shore in right of Her Crown may, if unrepealed, tend to prejudice such Claims of the said Earl *Cawdor*, and unfairly operate to his Detriment; be it therefore enacted, That so much of the said first-recited Act as is herein-before recited with respect to the Ownership of the said Shore shall be and is hereby repealed,

repealed, and that the Rights and Interests of Her Majesty and the said Earl *Cawdor* with regard to their respective Claims to the Ownership of the said Sea Shore shall remain the same in all respects as though such Recital had not been contained in the said Act.

Tolls.

XXXI. And be it enacted, That it shall be lawful for the Company to demand and receive in respect of the Use of the Railways by this Act authorized, and of the Engines and Carriages employed thereon, any Tolls and Charges not exceeding, save as herein-after mentioned, the maximum Tolls and Charges limited by the said first-recited Act.

Alteration of a certain Provision in former Act as to Interest.

XXXII. And whereas it was by the first-recited Act enacted, that no Interest should accrue to the Proprietor of any Share upon which any Call should be in arrear in respect of such Share, or of any other Share held by the same Proprietor during the Period while such Call should remain repaid, and it is expedient to alter or vary the said Enactment; be it enacted, That the said Provision shall be held to apply only to the Accrual of any Interest in respect of any Call upon any Share so long as the same shall remain unpaid, and that, notwithstanding any thing in the said first-recited Act contained, Interest shall accrue in respect of any previous Calls from the Date at which they shall actually have been paid by any Proprietor: Provided always, that no Interest shall be payable to any Proprietor upon any Amount which he may have paid up, or which may have been paid up, on any Shares, so long as any Call shall remain unpaid upon any Shares held by him, but such Interest shall be retained to the Credit of such Proprietor, and shall be applicable, so far as the same will extend, to the Discharge of any Call which may remain unpaid by such Proprietor.

Power to rent or purchase Forest of Dean Railway.

XXXIII. And be it enacted, That it shall be lawful for the Company, and they are hereby authorized and empowered, to rent or purchase, and for the *Forest of Dean* Railway Company to demise or sell to them, the said *Forest of Dean* Railway and the Branches thereof, and the Works connected therewith, and the other Property of the said last-mentioned Company, or any Part thereof, upon such Terms as may be or may have been mutually agreed upon, and to enter into such Contracts and Agreements for effecting the Purposes aforesaid as the said Companies respectively may deem advisable, and subject to such Terms and Conditions as may be mutually agreed on between them; and in the event of such Sale, of which a Conveyance duly stamped for denoting the Payment of the full and proper Stamp Duty by Law payable in respect of the Purchase Money, and under the Common Seal of the *Forest of Dean* Railway Company, shall be sufficient Evidence, the said *Forest of Dean* Railway and the Branches thereof, and the Works connected therewith, and the said Railways herein-before authorized to be constructed in lieu of Portions of the said *Forest of Dean* Railway, shall form Part of the Undertaking of the *South Wales* Railway; and from and after the Completion of such Purchase the *South Wales* Railway Company shall be authorized and empowered to levy and collect all such Rates, Tolls, and Duties, and to exercise all such Powers and Authorities, as the

the said *Forest of Dean* Railway Company levied, collected, and exercised immediately before such Sale under or by virtue of any Act or Acts of Parliament relating to the said *Forest of Dean* Railway, or otherwise howsoever.

Maximum Tolls on Forest of Dean Railway.

XXXIV. Provided always, and be it enacted, That from and after the First Day of *January* which will be in the Year of our Lord One thousand eight hundred and forty-nine the maximum Rate of Charge to be made by the Company, or by the said *Forest of Dean* Railway Company, in respect of the Conveyance upon the said *Forest of Dean* Railway and the Branches thereof, or upon the said Railways herein-before authorized to be constructed in lieu of Portions of the said *Forest of Dean* Railway, or either of them, of Coals, Coke, Culm, Charcoal, and Cinders, of Stones for building, pitching, and paving, Timber of all Sorts, Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or into other Articles of Merchandize, including the Charges for the Use of Waggons or Trucks and for locomotive Power, and all other Charges incidental to the Conveyance of such Goods along the said *Forest of Dean* Railway and the Branches thereof, or along the said Railways herein-before authorized to be constructed in lieu of Portions of the said *Forest of Dean* Railway, and also including the Use of the Company's Wharves at *Bullo Pill*, (except a reasonable Charge for the Expence of loading and unloading, where such Service is performed by the Company, or by the said *Forest of Dean* Railway Company,) shall not exceed the Sum of Two-pence Halfpenny *per* Ton *per* Mile, any thing in any Act or Acts of Parliament relating to the said *Forest of Dean* Railway (formerly called the *Bullo Pill* Railway), or either of them, to the contrary thereof in anywise notwithstanding: Provided nevertheless, that for the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such reasonable Sum as they think fit.

Company to provide locomotive Power when required.

XXXV. And be it enacted, That any Company in whom the *Forest of Dean* Railway and Branches, and the Railways herein-before authorized to be constructed in lieu of Portions of the said *Forest of Dean* Railway, shall be vested, shall and they are hereby required, from Time to Time and at all Times from and after the said First Day of *January* One thousand eight hundred and forty-nine, to find and provide sufficient locomotive Power when and as the same shall be required, and, as soon as an adequate and sufficient Load shall be in readiness, to convey all Merchandize, Articles, empty Waggons, Trucks, Matters, and Things upon and along the said last-mentioned Railways.

Application of Monies payable to the Forest of Dean Railway Company.

XXXVI. And be it enacted, That the Monies which may be payable by the *South Wales* Railway Company to the *Forest of Dean* Railway Company as the Consideration, wholly or in part, for the Sale or Transfer of the *Forest of Dean* Railway, and all other the Lands and Property of the last-mentioned Company, shall be subject to, and, after the Payment or Satisfaction of all incidental Costs and Expences,

be applied in or towards the Discharge of, the Debts and Liabilities of such Company; and the Surplus thereof, together with the remaining Funds and Assets of the same Company, shall be paid and distributed, under the like Control and Superintendence, amongst the Proprietors for the Time being of Shares in such Company, and in proportion to their several Rights and Interests in such Shares; and from and after the Completion of such Purchase or Transfer, and the Distribution of the said Monies in manner hereby authorized, the *Forest of Dean* Railway Company shall be dissolved and cease to exist, save only as respects and for the Purposes of the Satisfaction of any existing Debts or Liabilities of such Company, and the general Settlement of the Affairs thereof: Provided always, that the *South Wales* Railway Company shall not be in any Manner bound to see to the Application or answerable for the Misapplication or Nonapplication of the Monies which may be so payable by them as aforesaid.

Receipts of Executors, &c. sufficient Discharge.

XXXVII. And be it enacted, That it shall be lawful for all Executors, Administrators, and Trustees, and they are hereby authorized and empowered, upon or with reference to the Sale or Transfer and the Distribution or Division of the Property and Funds of the *Forest of Dean* Railway Company in the Manner herein-before authorized, to concur therein, and to give effectual and conclusive Receipts and Discharges for the Monies to arise from, or otherwise represent, or be apportioned in respect of the Shares in the Capital of such Company which are or may be vested in them, or in which they are or may be interested in such respective Capacities, and so as to release the same Company from all Obligations in respect of the Amount and Application of the Monies for or concerning which any such Receipt or Discharge shall be given, and they are hereby also authorized and empowered to accept and take such Monies so to arise or be apportioned as aforesaid in lieu or satisfaction of the Shares which are or may be vested in them, or in which they are or may be interested as aforesaid.

New Lines may be purchased or rented by the Great Western Railway Company.

XXXVIII. And be it enacted, That the several Powers contained in the first-recited Act with regard to the Sale or Lease to the *Great Western* Railway Company of the Undertaking by that Act authorized, and to the Sums which such Company are authorized to raise for the Purpose of purchasing the same, shall extend and be applicable to the several Railways by this and the said secondly-recited Act authorized to be constructed or altered, and such other Railways and Works as the *South Wales* Railway Company may under or by virtue of this Act become possessed of or be authorized to make.

Powers of Sale, &c. not to be exercised without Certificate of Commissioners of Railways.

XXXIX. Provided always, and be it enacted, That it shall not be lawful for the said *South Wales* Railway Company, by virtue of the Power herein-before contained, to sell, demise, or lease, nor for the said *Great Western* Railway Company to purchase or rent, the said Railways hereby authorized to be made, nor for the said *Forest of Dean* Railway Company to sell, demise, or lease, nor for the said *South Wales* and *Great Western* Railway Companies, or either of them, to purchase or rent, the said *Forest of Dean* Railway, unless it shall have been proved to the Satisfaction of the Commissioners of Railways,

and certified by them under their Seal previously to the Completion of any such Sale, or the Execution of any such Lease, that One Half of the whole Amount of the Capital, exclusive of Loans, by the Act or Acts relating to the *South Wales* Railway Company and to the *Great Western* Railway Company authorized to be raised (so far as relates to the Purchase or renting by the *Great Western* Railway Company of the Railways hereby authorized to be made), and that One Half of the whole Amount of the Capital, exclusive of Loans, by the Acts relating to the *South Wales* Railway Company and to the *Forest of Dean* Railway Company authorized to be raised, so far as relates to the Purchase or renting of the *Forest of Dean* Railway by the said *South Wales* Railway Company, and that One Half of the whole Amount of the Capital, exclusive of Loans, by the Acts relating to the *Great Western* Railway Company, and to the *South Wales* Railway Company, and to the *Forest of Dean* Railway Company, authorized to be raised, so far as relates to the Purchase or renting by the *Great Western* Railway Company of the *Forest of Dean* Railway, had been actually paid up, and expended for the Purposes authorized by such Act or Acts respectively.

Railway Company to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. & 105.

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

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

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

Saving Rights of the Crown.

XLII. And be it enacted, That nothing contained in this Act or in the Acts herein recited or referred to shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown,

 without

without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners, or any Two of them, are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Public Act.

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

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1847.